



JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
NOVEMBER 2, 2009  
3:00 P.M. WORKSHOP  
4:00 P.M. COUNCIL MEETING

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MINUTES

**OFFICIALS AND STAFF PRESENT:**

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

**STAFF PRESENT:**

ANDREW FULGHUM, ADMINISTRATOR  
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES  
DAVID JIROUSEK, PLANNING DIRECTOR  
RENTY KITTY, BUSINESS LICENSE CO-COORDINATOR  
JUDITH FRANK, CLERK TO COUNCIL

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.

CHAIRMAN HOOD CALLED THE WORKSHOP TO ORDER AT 3:03 P.M. AND EXPLAINED THAT THE FORMAL OPENING WOULD BE DONE AT THE START OF THE COUNCIL MEETING.

**DISCUSSION OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR SIGNS IN JASPER COUNTY; TO ADD DEFINITIONS TO TERMS TO ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CERTAIN DEFINITIONS OF TERMS FROM ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL ARTICLE 15 OF THE JASPER COUNTY ZONING ORDINANCE TO ADOPT A NEW ARTICLE 15 FOR THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CHAPTER 22 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 8:5.7 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 17:2:2 OF THE JASPER COUNTY ZONING ORDINANCE; AND TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE:**

MR. JIROUSEK GAVE A POWER POINT PRESENTATION EXPLAINING THE CHANGES AND HIGHLIGHTED THE SPECIFIC AREAS REGARDING BILLBOARDS AND THAT THIS ORDINANCE COMBINED FOUR PREVIOUS

SECTIONS OF THE ZONING ORDINANCE. MR. JIROUSEK SAID THAT THE ORDINANCE WAS DONE TO ENCOURAGE THE EFFECTIVE USE OF SIGNS, ENHANCE THE AESTHETICS OF THE ENVIRONMENT, AND THE ORDINANCE ALSO INCLUDES DEFINITIONS AND CRITERIA DEALING WITH ALL TYPES OF SIGNS. MR. JIROUSEK SAID THE ORDINANCE ESTABLISHES CONSTRUCTION STANDARDS, TYPES OF SIGNS, AND EXPLAINS THE PERMITTING SYSTEM REQUIREMENT. HE ALSO COVERED THE CONDITIONS FOR SIGNS THAT DO NOT NEED A PERMIT. MR. JIROUSEK DISCUSSED THE TYPE OF SIGNAGE THAT IS NOT PERMITTED. MR. JIROUSEK SAID THAT SANDWICH BOARD SIGNS AND PORTABLE SIGNS ARE ALLOWED BY PERMISSION OF THE SIGN COORDINATOR. MR. JIROUSEK SAID THAT THE SANDWICH SIGNS AND PORTABLE SIGNS WERE RECOMMENDED BY THE PLANNING COMMISSION IF THEY MEET CERTAIN CONDITIONS. MR. KITTY SAID THAT HE FELT IT WOULD BE BEST IF THE COUNTY DID NOT ALLOW SANDWICH BOARD SIGNS AS THEY CAUSE TRAFFIC PROBLEMS ON THE SIDEWALKS, AND THEY CAN BE A SAFETY ISSUE. MR. KITTY SAID HE FELT THE SANDWICH BOARD SIGNS SHOULD BE ELIMINATED. COUNCILMAN TYLER ASKED ABOUT A PLAQUE ON THE OUTSIDE OF A BUSINESS. MR. KITTY RESPONDED THAT A PLAQUE TO IDENTIFY A BUILDING DOES NOT NEED A PERMIT. CHAIRMAN HOOD SAID MANY REALTORS USE THE SANDWICH BOARD SIGNS TO SAY AN AGENT IS PRESENT AND RESTAURANTS USE THE SIGNS FOR SPECIALS THEY ARE OFFERING. COUNCILMAN GREGORY ASKED IF THE SIGNS WERE OKAY IF THEY WERE NOT LEFT OUT OVERNIGHT. MR. KITTY SAID HE DID NOT THINK THE SANDWICH BOARD SIGNS SHOULD BE USED. COUNCILMAN ETHERIDGE ASKED IF THE SIGNS WERE ATTACHED TO THE BUILDING THE WOULD BE OKAY. MR. KITTY SAID THAT WAS CORRECT, BUT HE DID NOT WANT TO ALLOW SANDWICH BOARD SIGNS. MR. JIROUSEK ADDED THAT BEAUFORT COUNTY WAS ONLY ALLOWING THE USE OF SANDWICH SIGNS FOR THE COMING YEAR. MR. JIROUSEK SAID THAT THE COUNCIL NEEDS TO DECIDE IF THEY WANT TO ALLOW SANDWICH BOARD SIGNS WITH CERTAIN CONDITIONS OR NOT TO ALLOW THEM AT ALL. IT WAS THE CONSENSUS OF THE COUNCIL FOR THE PLANNING COMMISSION TO REVISIT THE SANDWICH BOARD SIGNS PORTION OF THE ORDINANCE AND MAKE A RECOMMENDATION TO COUNCIL. COUNCILMAN ETHERIDGE SUGGESTED PUTTING RESTRICTIONS AS TO THE WIDTH OF THE SANDWICH BOARD SIGN RELATING TO THE WIDTH OF THE SIDEWALK. COUNCILMAN TYLER ASKED ABOUT SCHOOL CROSSINGS AND MR. KITTY SAID THOSE SIGNS ARE REGULATED BY THE STATE. MR. KITTY SAID HE WOULD DISCUSS THE PROS AND CONS WITH THE PLANNING COMMISSION AT THEIR NEXT MEETING. MR. KITTY SAID HE WAS TRYING TO HEAD OFF PROBLEMS BEFORE THE COUNTY GROWS. COUNCILMAN GREGORY ASKED WHAT TYPE OF SIGNS WAS CONSIDERED OFFENSIVE. MR. JIROUSEK STATED THAT OFFENSIVE SIGNS WERE COVERED ON PAGE FOURTEEN AND COUNCILMAN GREGORY SAID THAT THE COUNTY HAS NO OFFENSIVE SIGNS NOW AND THIS ORDINANCE WOULD PREVENT THEM IN THE FUTURE. COUNCILMAN TYLER ASKED ABOUT STATE REQUIREMENTS FOR SIGNS. MR. KITTY RESPONDED THAT THE STATE BECOMES INVOLVED WITH BILLBOARD. MR. KITTY SAID THE STATE APPROVES THE LOCATION AND TYPE OF BILLBOARDS THAT CAN BE PLACED ON STATE ROADS, BUT THEY ARE NOT INVOLVED WITH ANY BILLBOARDS THAT ARE ON COUNTY ROADS. COUNCILMAN ETHERIDGE ASKED IF THE FEES WERE DUE ON JANUARY 1<sup>ST</sup>

AND THAT A 1.5% PENALTY IS ASSESSED AFTER THAT, AND A SIGN CANNOT BECOME VACANT FOR MORE THAN 180 DAYS. MR. KITTY SAID THAT WAS CORRECT, HOWEVER, SO THAT THE SIGN DOES NOT REMAIN VACANT, THE COMPANY MAY DO A PUBLIC SERVICE AD. COUNCILMAN ETHERIDGE ASKED WHO THE FEES WERE PAID TO. MR. KITTY SAID THE FEES ARE PAID TO HIS DEPARTMENT AND THE TAXES ARE PAID TO THE TREASURER. COUNCILMAN ETHERIDGE ASKED WHO WAS THE DSR AND IF THE PLANNING COMMISSION HAD TO APPROVE BILLBOARDS. MR. JIROUSEK SAID THAT MR. KITTY IS THE DSL FOR SIGNS AND BILLBOARDS AND THE PLANNING COMMISSION ONLY HAS TO APPROVE NEW SIGNS. MR. ETHERIDGE SAID HE FELT THAT IF A NEW ONE IS ALLOWED, ONLY IF THREE ARE REMOVED, WAS EXCESSIVE ESPECIALLY SINCE THEY PROVIDE INCOME TO THE COUNTY IN FEES AND TAXES. MR. JIROUSEK REVIEWED THE PLACEMENT REQUIREMENTS AND SAID THEY WANTED TO MAKE SURE THE SIGNS ARE DONE THE RIGHT WAY. MR. JIROUSEK SAID THAT THE COUNCIL NEEDS TO MAKE SOME POLICY DECISIONS. MR. JIROUSEK SAID HE WOULD HAVE THE PLANNING COMMISSION FOCUS ON THIS AND HE WOULD BRING BACK A RECOMMENDATION. MR. JIROUSEK TOLD THE COUNCIL THAT OTHER JURISDICTIONS ARE TAKING A STANCE TO ELIMINATE BILLBOARDS. COUNCILMAN ETHERIDGE COMMENTED THAT NON-CONFORMING SIGNS CAN REMAIN AS LONG AS THEY ARE MAINTAINED AND THEY ARE GRANDFATHERED IN. MR. KITTY SAID THAT WAS CORRECT, HOWEVER, IF THEY ARE DESTROYED THEY CANNOT BE REPLACED WITH A NEW ONE. MR. JIROUSEK DISCUSSED DIGITAL BILLBOARDS AND THAT THEY ARE 75% THE SIZE OF A REGULAR BILLBOARD AND THE PLANNING COMMISSION APPROVES OF DIGITAL BILLBOARDS IN CERTAIN AREAS. CHAIRMAN HOOD ASKED HOW THE COMPANIES WERE CHARGE FOR DIGITAL BILLBOARDS BECAUSE THEY HAVE SO MANY ADS. MR. KITTY SAID THAT DIGITAL BILLBOARDS ARE CHARGED LIKE BUSINESS LICENSES. MR. FULGHUM TOLD THE COUNCIL THAT THEY HAVE BEEN WORKING ON THIS ORDINANCE FOR OVER A YEAR AND THEY WERE LOOKING FOR GUIDANCE FROM THE COUNCIL. COUNCILMAN TYLER ASKED IF THEY WOULD GAIN OR LOSE MONEY FROM THE CHANGES. MR. KITTY SAID THE INCOME WOULD REMAIN ABOUT THE SAME. CHAIRMAN HOOD ADDED THAT PROPERTY OWNERS ALSO GET INCOME FROM BILLBOARDS, SINCE THEY RENT THE COMPANIES SPACE. COUNCILMAN ETHERIDGE ASKED HOW THAT LAND WAS TAXED. MR. JIROUSEK SAID THAT AN ACRE WOULD BE CUT OUT AND IT WOULD BE TAXED AT THE COMMERCIAL RATE. IT WAS THE CONSENSUS OF THE COUNCIL TO SEND THE ORDINANCE BACK TO THE PLANNING COMMISSION AND STAFF FOR REVIEW AND RECOMMENDATIONS.

**DISCUSSION OF THE ORDINANCE AMENDING JASPER COUNTY ORDINANCE 09-18 RELATED TO A REFERENDUM REGARDING A CHANGE IN THE METHOD OF ELECTING COUNTY COUNCIL MEMBERS AND THE NUMBER OF COUNTY COUNCIL MEMBERS AND FORMULATING THE REFERENDUM QUESTIONS AND RELATED MATTERS, AND TO POSTPONE THE DATE OF THE REFERENDUM.**

COUNCILMAN GREGORY SAID HE WAS CONCERNED THAT BY DELAYING THE REFERENDUM UNTIL 2012 IT WOULD BE 2014 BEFORE THE SINGLE MEMBER DISTRICTS WOULD GO INTO EFFECT. COUNCILMAN GREGORY SAID THAT HE FELT THE REFERENDUM SHOULD BE ON THE 2010 BALLOT FOR THE

PEOPLE TO DECIDE AND BY 2012 THE CENSUS WOULD BE COMPLETE AND THE DISTRICTS COULD BE DRAWN TO MATCH THE SCHOOL BOARD DISTRICTS. COUNCILMAN GREGORY SAID THAT HE SPOKE WITH THE SENATOR AND THE SENATOR PLANNED ON REDUCING THE SCHOOL BOARD TO SEVEN MEMBERS. COUNCILMAN GREGORY ASKED WHY DID THE PEOPLE HAVE TO VOTE IF THEY WANTED FIVE OR SEVEN MEMBERS, SINCE THERE WERE ALREADY FIVE HE FELT THE BALLOT SHOULD ASK THEM TO VOTE IF THEY WANTED TO INCREASE THE COUNCIL TO SEVEN MEMBERS AND IF NOT, IT WOULD REMAIN AT FIVE. MR. JONES SAID THE DATE OF 2012 WAS PUT IN THE ORDINANCE BECAUSE OF THE CENSUS. COUNCILMAN GREGORY SAID HE DID NOT FEEL THE CENSUS WOULD CHANGE THE COUNT IN JASPER COUNTY. ATTORNEY JONES SAID THAT IF THE COUNCIL PASSED THE ORDINANCE AS IT IS WRITTEN, THE DATE OF THE REFERENDUM CAN ALWAYS BE CHANGED BY AMENDING THE ORDINANCE. COUNCILMAN GREGORY SAID HE WOULD LIKE TO SEE IT ON THE 2010 BALLOT SO THAT THE DISTRICTS CAN BE DRAWN AND IT CAN BE IN EFFECT FOR THE 2012 ELECTION.

**4:00 P.M.**

**PRESENT:**

DR. GEORGE M. 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. ADM. SERVICES  
DALE TERRY, DEP. ADM. ENG. SERVICES  
MARVIN JONES, ATTORNEY  
JUDITH FRANK, CLERK TO COUNCIL  
DAVID JIROUSEK, PLANNING DIRECTOR  
SUSAN WAITE, ASSESSOR  
HERMAN SMITH, BUILDING 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 FROM 10/19/2009 COUNCIL MEETING AND 10/06/2009 COMMUNITY MEETING, AND TO RECEIVE FOR INFORMATION THE 10/12/09 TRANSPORTATION COMMITTEE MEETING, 9/29/2009 CYPRESS RIDGE BUSINESS INDUSTRIAL PARK REVIEW BOARD MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PROCLAMATIONS AND PRESENTATION:**

THERE WERE NO PROCLAMATIONS OR PRESENTATIONS.

**ORDINANCES:**

**DAVID JIROUSEK – 3<sup>RD</sup> READING AND PUBLIC HEARING OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR DEVELOPMENT ADJACENT TO TIDELANDS, RIVERS AND STREAMS IN JASPER COUNTY; TO ADD OR REVISE DEFINITIONS OF THE TERMS CRITICAL AREA, RIPARIAN BUFFER, TIDELAND, AND WETLAND WITHIN ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO AMEND ARTICLE 7:4, AS AMENDED OF THE JASPER COUNTY ZONING ORDINANCE:**

MR. JIROUSEK DESCRIBED THE MAIN INTENT OF THE ORDINANCE WAS TO ALLOW SOME FLEXIBILITY WITH THE VEGETATED STRIPS ALONG THE WATERWAYS. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING AND PUBLIC HEARING OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR DEVELOPMENT ADJACENT TO TIDELANDS, RIVERS AND STREAMS IN JASPER COUNTY; TO ADD OR REVISE DEFINITIONS OF THE TERMS CRITICAL AREA, RIPARIAN BUFFER, TIDELAND, AND WETLAND WITHIN ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO AMEND ARTICLE 7:4, AS AMENDED OF THE JASPER COUNTY ZONING ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK –PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE TO APPROVE AMENDING THE JASPER COUNTY ZONING ORDINANCE TO CHANGE ZONING FROM RESIDENTIAL TO RURAL PRESERVATION REQUESTED BY THE HONEY HILL PROPERTY OWNERS ASSOCIATION:**

MR. JIROUSEK INFORMED THE COUNCIL THAT THIS ORDINANCE IS TO CHANGE THE ZONING THE HONEY HILL SUBDIVISION AND THE CHANGE WAS REQUESTED BY ALL THE HOMEOWNERS IN THE SUBDIVISION. MR. JIROUSEK ADDED THAT THIS ZONING CHANGE IS CONSISTENT WITH THE COUNTY'S COMPREHENSIVE PLAN. COUNCILMAN ETHERIDGE ASKED IF ANYONE HAS OBJECTED TO THE CHANGE. MR. JIROUSEK SAID HE RECEIVED NO EXCEPTIONS. CHAIRMAN HOOD OPENED THE PUBLIC HEARINGS. SUE HERRINGTON, BOARD MEMBER OF THE HOMEOWNERS ASSOCIATION, SAID THAT ALL THE HOMEOWNERS WERE NOTIFIED AND THERE HAS BEEN NO NEGATIVE INPUT. BEING NO FURTHER COMMENTS,

CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE TO APPROVE AMENDING THE JASPER COUNTY ZONING ORDINANCE TO CHANGE ZONING FROM RESIDENTIAL TO RURAL PRESERVATION REQUESTED BY THE HONEY HILL PROPERTY OWNERS ASSOCIATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS REDUCE THE REAR SETBACKS IN THE RURAL PRESERVATION DISTRICT IN JASPER COUNTY; TO AMEND ARTICLE 7 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO AMEND SECTION 7:3, TABLE 1, TITLED “SCHEDULE OF LOT AREA, YARD, SETBACK AND DENSITY”:**

MR. JIROUSEK SAID THAT THE STAFF WAS RECOMMENDING REDUCING THE REAR SETBACK REQUIREMENTS AND THAT THE NEW REQUIREMENTS GOES ALONG WITH THE GENERAL PLANNING CRITERIA. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS REDUCE THE REAR SETBACKS IN THE RURAL PRESERVATION DISTRICT IN JASPER COUNTY; TO AMEND ARTICLE 7 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO AMEND SECTION 7:3, TABLE 1, TITLED “SCHEDULE OF LOT AREA, YARD, SETBACK AND DENSITY”. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – 2<sup>ND</sup> READING OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR SIGNS IN JASPER COUNTY; TO ADD DEFINITIONS TO TERMS TO ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CERTAIN DEFINITIONS OF TERMS FROM ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL ARTICLE 15 OF THE JASPER COUNTY ZONING ORDINANCE TO ADOPT A NEW ARTICLE 15 FOR THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CHAPTER 22 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 8:5.7 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 17:2:2 OF THE JASPER COUNTY ZONING ORDINANCE; AND TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE:**

MR. JIROUSEK DISCUSSED THE ITEMS COVERED IN THE WORKSHOP THAT PRECEDED THE MEETING. CHAIRMAN HOOD ENCOURAGED THE PUBLIC TO ATTEND THE PLANNING COMMISSION MEETING AS THEY WERE GOING TO REVIEW THE ORDINANCE AND MAKE A RECOMMENDATION TO THE COUNCIL. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR SIGNS IN JASPER COUNTY; TO ADD DEFINITIONS TO TERMS TO ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CERTAIN DEFINITIONS OF TERMS FROM ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL

ARTICLE 15 OF THE JASPER COUNTY ZONING ORDINANCE TO ADOPT A NEW ARTICLE 15 FOR THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CHAPTER 22 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 8:5.7 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 17:2:2 OF THE JASPER COUNTY ZONING ORDINANCE; AND TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES - PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE FOR LOW COUNTRY COUNCIL OF GOVERNMENT FINANCING:**

MR. JONES PRESENTED THE INFORMATION REGARDING THE FINANCING FOR LCOG. COUNCILMAN ETHERIDGE SAID THAT MR. HOWELL STATED THAT THE COUNCIL WOULD HAVE TO APPROVE FUNDS EACH BUDGET YEAR FOR THE PAYMENT. MR. JONES SAID THAT THE MONTHLY PAYMENTS FROM LCOG WILL BE PAID AS LEASE PAYMENTS AND THE SAME AMOUNT IS WHAT THE COUNCIL WOULD BUDGET FOR THE BOND PAYMENT. MR. FULGHUM SAID THE AMOUNT BUDGETED WILL BE RECEIVED FROM LCOG SO IT WOULD BE A WASH. COUNCILMAN ETHERIDGE SAID THE COUNTY DOES NOT PLAN TO RAISE TAXES AND IF LCOG DOES NOT MAKE THE PAYMENTS, THEY WILL HAVE TO VACATE THE BUILDING. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. BILL OLENDORF COMMENTED THAT THE POINT SOUTH MERCHANTS FEEL THE RENOVATION AND EXPANSION OF THE BUILDING USED BY LCOG WILL BE VERY BENEFICIAL. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE FOR LOW COUNTRY COUNCIL OF GOVERNMENT FINANCING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES - 2<sup>ND</sup> READING OF THE ORDINANCE TO CREATE ARTICLE III OF CHAPTER 26 OF CODE OF ORDINANCES OF SOUTH CAROLINA RELATED TO PROPERTY TAXES AND SECTION 26-45 AS A PART OF ARTICLE III RELATED TO INSTALLMENT PAYMENT OF PROPERTY TAXES:**

MR. JONES SAID THAT THE ORDINANCE WAS NECESSARY TO AUTHORIZE INSTALLMENT PAYMENTS OF PROPERTY TAXES. VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN GREGORY AGREED THAT THEY WOULD RATHER HAVE THE CITIZENS BE ABLE TO MAKE MONTHLY PAYMENTS THAN PAYMENTS BASED ON THE SCHEDULE SET OUT BY THE STATE. MR. JONES SAID THAT COUNTIES ARE NOT AUTHORIZED TO MAKE THE CHANGE UNDER STATE LAW AND STATE LAW SPECIFICALLY STATES WHEN THE PAYMENTS ARE TO BE MADE. MR. FULGHUM SAID THAT A REQUEST TO CHANGE THE WAY THE PAYMENTS ARE MADE CAN BE SENT TO THE DELEGATION. VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN GREGORY AGREED THAT THEY WOULD LIKE TO SEE IT CHANGED. MR. JONES SAID THE PAYMENT DAYS ARE MANDATED BY THE STATE. COUNCILMAN GREGORY ASKED WHAT WOULD HAPPEN IF THE COUNTY SET UP THEIR OWN SCHEDULE. MR. JONES SAID THAT IN THE EVENT THIS WOULD GO TO LITIGATION THE SUBJECT

SHOULD BE DISCUSSED IN EXECUTIVE SESSION. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO DISCUSS THE INSTALLMENT PAYMENTS WITH THE PEOPLE, WHO WILL BE HANDLING THE PAYMENTS. MR. FULGHUM SAID HE WOULD ORGANIZE A MEETING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO CREATE ARTICLE III OF CHAPTER 26 OF CODE OF ORDINANCES OF SOUTH CAROLINA RELATED TO PROPERTY TAXES AND SECTION 26-45 AS A PART OF ARTICLE III RELATED TO INSTALLMENT PAYMENT OF PROPERTY TAXES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES - 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND JASPER COUNTY ORDINANCE 09-18 RELATED TO A REFERENDUM REGARDING A CHANGE IN THE METHOD OF ELECTING COUNTY COUNCIL MEMBERS AND THE NUMBER OF COUNTY COUNCIL MEMBERS AND FORMULATING THE REFERENDUM QUESTIONS AND RELATED MATTERS TO POSTPONE THE DATE OF THE REFERENDUM:**

MR. JONES SAID THAT THIS ORDINANCE IS TO AMEND THE DATE OF THE REFERENDUM. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND JASPER COUNTY ORDINANCE 09-18 RELATED TO A REFERENDUM REGARDING A CHANGE IN THE METHOD OF ELECTING COUNTY COUNCIL MEMBERS AND THE NUMBER OF COUNTY COUNCIL MEMBERS AND FORMULATING THE REFERENDUM QUESTIONS AND RELATED MATTERS TO POSTPONE THE DATE OF THE REFERENDUM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS:**

**RESOLUTION REGARDING THE SALE OF SURPLUS EQUIPMENT:**

MR. TERRY EXPLAINED THAT HE HAD ONE SERVICE TRUCK AND TWO CONTAINERS THAT WERE SURPLUS PROPERTY AND THE RESOLUTION WAS TO APPROVE THE SALE. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO PASS THE RESOLUTION REGARDING THE SALE OF SURPLUS EQUIPMENT LISTED IN THE RESOLUTION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**OLD BUSINESS:**

**CONSIDERATION OF A POLICY FOR MAINTENANCE OF ROADS:**

MR. FULGHUM EXPLAINED THAT THE ENGINEERING SERVICES COMMITTEE MET AND DISCUSSED WHO WAS RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE ROADS. MR. FULGHUM REQUESTED THAT THE COUNCIL HOLD A WORKSHOP ON THIS SUBJECT. A WORKSHOP WAS SCHEDULED FOR NOVEMBER. 4, 2009 AT 3:30 P.M.

**NEW BUSINESS:**

**BILL OLENDORF - REQUEST FOR A-TAX FUNDING:**

MR. OLENDORF REMINDED THE COUNCIL THAT EACH YEAR THE POINT SOUTH MERCHANTS ASSOCIATION REQUESTS A-TAX FUNDING FOR EXTRA SHERIFF'S PATROL AND BILLBOARDS. MR. OLENDORF SAID THAT HE MAY

NEED AN ADDITIONAL \$1,000.00 TO COVER A BILLBOARD AT A NEW LOCATION SINCE THEY WERE NOT HAPPY WITH ONE OF THE SITES. COUNCILMAN ETHERIDGE ASKED FOR THE LOCATION OF THE BILLBOARDS. MR. OLENDORF STATED THAT THE BILLBOARDS WERE LOCATED IN FLORENCE, MANNING AND WALTERBORO. MR. MALPHRUS SAID THAT THE A-TAX FUNDS ARE REQUESTED ANNUALLY AND THE EXTRA \$1,000.00 WOULD BE AVAILABLE UNLESS THE COUNCIL HAS OTHER PLANS FOR THE MONEY. MR. OLENDORF TOLD THE COUNCIL THAT 99% OF THE A-TAX FUNDS PAID TO THE COUNTY ARE GENERATED FROM POINT SOUTH. COUNCILMAN TYLER ASKED IF THE FUNDS ARE DECREASING AND MR. OLENDORF SAID THE FUNDS HAVE REMAINED PRETTY STEADY AND HIS BUSINESS WAS UP THIS YEAR. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE A-TAX FUNDING REQUEST IN THE AMOUNT OF \$70,788.00 PLUS THE ADDITIONAL \$1,000.00, IF NEEDED, FROM THE POINT SOUTH MERCHANTS ASSOCIATION. THE FUNDING IS TO PAY FOR THE POINT SOUTH SHERIFF PATROL AND BILLBOARDS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**COMMITTEE REPORTS:**

COUNCILMAN GREGORY ENCOURAGED THE CITIZENS TO ATTEND THE WORKSHOP ON ROAD MAINTENANCE.

**ADMINISTRATOR'S REPORTS:**

MR. FULGHUM UPDATED THE COUNCIL ON THE LOW COUNTRY HOME CONSORTIUM AND THAT THEY HAVE ALLOCATED ABOUT \$500,000.00 IN FUNDING FOR AFFORDABLE HOUSING. CHAIRMAN HOOD ADDED THAT \$100,000.00 WAS ALLOCATED FOR HOME BUYERS INCENTIVE FUNDING AND THAT JASPER COUNTY NEIGHBORS UNITED WILL BE MONITORING THE FUNDS.

MR. FULGHUM SAID HE WOULD LIKE TO HOLD NINE WORKSHOPS LASTING ONE HOUR FOR BUDGET CONTINGENCY PLANNING FOR THE COMING YEAR'S BUDGET. CHAIRMAN HOOD ASKED THE CLERK TO PREPARE A SCHEDULE FOR THE MEETINGS.

MR. FULGHUM REPORTED THAT PALMETTO ELECTRIC AGREED TO PAY FOR THE LEED CERTIFICATION AND THAT THEY WILL BE PRESENTING THE COUNTY WITH A CHECK FOR \$300,000.00 FOR FURTHER EXPANSION OF THE CYPRESS RIDGE BUSINESS PARK.

MR. MALPHRUS PRESENTED A REQUEST FOR THE BOYS AND GIRLS CLUB FOR \$2,000.00 IN A-TAX FUNDING TO HELP PAY FOR A FUNDRAISING EVENT THAT WILL BRING SNOW TO JASPER COUNTY. COUNCILMAN GREGORY ASKED IF THE EVENT QUALIFIED FOR A-TAX FUNDING AND MR. MALPHRUS RESPONDED THAT IT QUALIFIED BECAUSE IS WOULD ATTRACT TOURIST TO THE AREA. COUNCILMAN ETHERIDGE ASKED WHAT THE BALANCE WOULD BE IN THE A-TAX FUND IF THEY APPROVED THE \$2,000.00. MR. MALPHRUS SAID HE DID NOT KNOW THE BALANCE, BUT HE WOULD GET THE COUNCIL THE INFORMATION. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE A-TAX FUNDING REQUEST FROM THE BOYS AND GIRLS CLUB IN THE AMOUNT OF \$2,000.00. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**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:**

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES, ENCOURAGE LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY AND DISCUSSION OF 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. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RETURN FROM EXECUTIVE SESSION:**

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO RETURN TO OPEN SESSION. THE MOTION WAS CARRIED WITH ALL MEMBER PRESENT VOTING IN FAVOR.

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT A MAINTENANCE PERSON BE HIRED ON A TEMPORARY BASIS WHILE AN EMPLOYEE IS OUT ON LEAVE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ADJOURN:**

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

THE MEETING ENDED AT 6:15 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

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JUDITH M. FRANK, CCC  
CLERK TO COUNCIL

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DR. GEORGE HOOD  
CHAIRMAN

