



**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS**

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**358 THIRD AVE.  
RIDGELAND, SC 29936  
SEPTEMBER 21, 2009  
7:00 P.M.  
MINUTES**

**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  
WILBUR DALEY, DEP. ADM. EMERGENCY SERVICES  
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES  
DALE TERRY, DEP. ADM. ENG. SERVICES  
MARVIN JONES, ATTORNEY  
JUDITH FRANK, CLERK TO COUNCIL  
STEVEN MALPHRUS, DEP. DIRECTOR ES  
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 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:**

**APPROVAL OF THE MINUTES OF THE 8/17/2009 COUNCIL MEETING, 9/2/09 SPECIAL CALLED MEETING, 8/19/2009 EMERGENCY SERVICE COMMITTEE MEETINGS, 8/14/2009 DEVELOPMENT SERVICES COMMITTEE MEETING, 8/31/2009 ENGINEERING SERVICES COMMITTEE MEETING, 9/8/09 ADMINISTRATIVE SERVICES COMMITTEE:**

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE MINUTES OF THE 8/17/2009 COUNCIL MEETING, 9/2/09 SPECIAL CALLED MEETING, AND TO RECEIVE THE MINUTES OF THE 8/19/2009 EMERGENCY SERVICE COMMITTEE MEETINGS, 8/14/2009 DEVELOPMENT SERVICES COMMITTEE MEETING, 8/31/2009 ENGINEERING SERVICES COMMITTEE MEETING, 9/8/09 ADMINISTRATIVE SERVICES COMMITTEE FOR INFORMATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PROCLAMATIONS AND PRESENTATIONS:**

**RECOGNITION OF JASPER COUNTY TEACHER OF THE YEAR:**

CHAIRMAN HOOD PRESENTED MS. IVY RICHARDSON WITH A CERTIFICATE RECOGNIZING HER AS THE JASPER COUNTY TEACHER OF THE YEAR. MS. RICHARDSON WILL REPRESENT THE SCHOOL DISTRICT IN THE STATE LEVEL COMPETITION.

**PRESENTATION OF CHECK FROM THE S.C. FORESTRY COMMISSION:**

CALVIN BAILEY AND PETE STUCKEY PRESENTED THE COUNTY WITH A CHECK FOR \$11,733.23 FROM THE FORESTY COMMISSION. THE FUNDS ARE TO BE USED FOR EDUCATIONAL PURPOSES. CHAIRMAN HOOD THANKED THE COMMISSION.

**ANDY FULGHUM – PRESENTATION OF ACHIEVEMENT OF FINANCIAL REPORTING AWARD:**

MR. FULGHUM INFORMED THE COUNCIL THAT MR. RONNIE MALPHRUS HAS RECEIVED THE GFOA ACHIEVEMENT OF FINANCIAL REPORTING AWARD. CHAIRMAN HOOD PRESENTED MR. MALPHRUS WITH THE PLAQUE.

**RECOGNITION OF STUDENT INTERNS:**

GLORIAL LUCAS INTRODUCED THE INTERNS AND EXPLAINED THAT THEY WORKED IN VARIOUS DEPARTMENTS SINCE JUNE, 2009. MS. LUCAS TOLD THE COUNCIL THAT THE INTERNS WERE PAID THROUGH STIMULUS FUNDING. MS. LUCAS SAID THE INTERNS HAVE DONE A REMARKABLE JOB. MS. LUCAS PRESENTED THE INTERNS, THAT WERE PRESENT AT THE MEETING, WITH CERTIFICATES AND SHE ALSO

PRESENTED A CERTIFICATE TO CHRIS BICKELY, DIRECTOR OF LCOG FOR THEIR INVOLVEMENT IN THE PROGRAM. MS. LUCAS RECOGNIZED DARLENE EPPERSON FOR HER INVOLVEMENT IN THE PROJECT AND THANKED MS. EPPERSON FOR ALL HER WORK WITH THE INTERNS.

**MOMENT OF SILENCE:**

CHAIRMAN HOOD, ON BEHALF OF THE COUNCIL, EXTENDED DEEPEST SYMPATHY TO THE BAKER FAMILY ON THE LOSS OF THEIR SON, JUSTIN, AND ASKED EVERYONE TO STAND FOR A MOMENT OF SILENCE AND PRAYER FOR THE FAMILY.

**AMEND THE AGENDA:**

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO AMEND THE AGENDA TO INCLUDE THE 1<sup>ST</sup> READING OF AN ORDINANCE TO AMEND THE 2009-2010 BUDGET ORDINANCE (BY TITLE ONLY). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PUBLIC HEARINGS AND ORDINANCES:**

**ANDREW FULGHUM- 2<sup>ND</sup> READING OF THE ORDINANCE REGARDING THE PERRY HOUSE LEASE:**

MR. FULGHUM PRESENTED THE LEASE AGREEMENT THAT INCORPORATED THE CHANGES REQUESTED BY THE DEVELOPMENT SERVICES COMMITTEE. MR. FULGHUM TOLD THE COUNCIL THAT MR. SAULS, CHAIRMAN OF THE CHAMBER OF COMMERCE BOARD, WAS PRESENT TO ANSWER ANY QUESTIONS. MR. SAULS REQUESTED THAT THE LEASE BE AMENDED TO INCLUDE THAT THE COUNTY WOULD PAY THE UTILITES UNTIL THE END JUNE, 2010, THAT THE COUNTY WOULD BE RESPONSIBLE FOR REPAIRS TO THE BUILDING AND THAT THE LEASE BE LONGER THAN 5 YEARS. MR. SAULS SAID THAT THE CHAMBER WAS GOING TO ASK TO HAVE THE TOWN TAKE CARE OF THE YARD MAINTENANCE. COUNCILMAN ETHERIDGE ASKED IF THE CHAMBER HAS ANY INCOME AND MR. SAULS SAID THAT MOST OF THE INCOME COMES FROM MEMBERSHIP DUES. COUNCILMAN ETHERIDGE ASKED ABOUT REVENUE FROM THE EVENTS THAT THE CHAMBER HOLDS AND MR. SAULS SAID THEY DID HAVE SOME INCOME FROM THE EVENTS; HOWEVER, A PORTION OF THE INCOME IS USED TO OFFSET THE ADDED WORK OF THE STAFF. COUNCILMAN EHTERIDGE COMMENTED THAT THE COUNTY WAS GOING TO HAVE TO BORROW MONEY TO MAKE PAYROLL AND THE COUNTY HAS AGREED TO REPAIRS, INSURANCE AND HAS PROVIDED THE CHAMBER WITH \$75,000.00 FOR MARKETING THE FARMERS' MARKET. MR. SAULS SAID THAT THE CHAMBER IS CONSTANTLY PROMOTING THE COUNTY MINUTES

AND THE CHAMBER DEPENDS ON THE COUNCIL. MR. SAULS THANKED THE COUNCIL FOR BEING A HUGE RESOURCE AND SUPPORTER OF THE CHAMBER. COUNCILMAN BLACKSHEAR ASKED ABOUT THE UTILITIES. MR. SAULS SAID THAT THE ELECTRIC IS ABOUT \$352.00 PER MONTH. AND THAT HE DID NOT THINK THE CHAMBER WOULD MOVE INTO THE BUILDING UNTIL JANUARY OR FEBRUARY. COUNCILMAN BLACKSHEAR ASKED IF ANY OF THE FOUR ENTITIES USING THE BUILDING GENERATE ANY INCOME AND MR. SAULS SAID THEY WERE NOT REVENUE GENERATING OPERATIONS. MR. SAULS SAID THAT MR. TILTON AGREED TO DO THE REPAIRS AT COST WHICH WILL BE ABOUT \$13,000.00 WHICH THE COUNTY AGREED TO PAY, BUT HE REQUESTED AN ONGOING COMMITMENT FROM THE COUNTY THAT A-TAX FUNDS WOULD BE USED FOR REPAIRS IN THE FUTURE. COUNCILMAN ETHERIDGE ASKED IF A-TAX FUNDS COULD BE USED TO PAY FOR THE UTILITIES. MR. MALPHRUS SAID HE THOUGHT THEY COULD BE USED. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED MOTIONED TO AMEND THE LEASE. THE MOTION CARRIED WITH ALL MEMBERS PRESNET VOTING IN FAVOR. MR. JONES ASKED WHAT WAS TO BE AMENDED IN THE LEASE. CHAIRMAN HOOD SAID THAT THE COUNTY WOULD PAY THE UTILITES UNTIL JUNE, 2010 AND THAT THE COUNCIL WOULD CONSIDER USING A-TAX FUNDS FOR FUTURE REPAIRS. VICE CHAIRMAN BLACKSHEAR SAID THAT THE COUNCIL NEEDED TO TAKE THESE REQUESTS UNDER CONSIDERATION AND DISCUSS THIS FURTHER. COUNCILMAN ETHERIDGE ASKED IF A-TAX FUNDS WERE TO BE USED FOR THE REPAIRS BY MR. TILTON AND MR. MALPHRUS SAID THEY WERE. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE REGARDING THE PERRY HOUSE LEASE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM - 2<sup>ND</sup> READING OF THE ORDINANCE APPROVING ORGANIZATIONAL REPORTING AFTER THE REDUCTION IN FORCE:**

COUNCILMAN GREGORY ASKED WHY AN ORDINANCE WAS NEEDED. MR. FULGHUM SAID THE ORIGINAL ORGANIZATIONAL CHART WAS DONE BY ORDINANCE SO IN ORDER TO CHANGE IT, AN ORDINANCE MUST BE PASSED. CHAIRMAN HOOD SAID THAT DUE TO FINANCES THE COUNTY MAY NOT BE ABLE TO MAINTAIN ALL THE POSITIONS AS THEY ARE STATED AND THEY MAY NEED TO COMBINE SOME POSITIONS AND CERTAIN TITLES REQUIRE HIGHER SALARIES AND THE TITLES MAY NEED TO BE CHANGED. COUNCILMAN GREGORY COMMENTED THAT THERE WERE FOUR POSITIONS FOR DEPUTY MINUTES

ADMINISTRATORS. CHAIRMAN HOOD SAID THERE IS ONE DEPUTY ADMINISTRATOR POSITION THAT IS OPEN AND THE ADMINISTRATOR HAS BEEN TOLD NOT TO FILL THAT POSITION. COUNCILMAN GREGORY SAID A LOT OF LOW PAID PEOPLE WERE LEFT GO AND THEY KEPT THE HIGH PAYING PEOPLE. COUNCILMAN GREGORY SAID PERHAPS THE COUNCIL NEEDED TO RECONSIDER THOSE POSITIONS. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION (WITH RESERVATION) THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE APPROVING THE ORGANIZATIONAL REPORTING AFTER THE REDUCTION IN FORCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES – 1<sup>ST</sup> READING OF THE ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 09-13 ADOPTED BY THE COUNCIL OF JASPER COUNTY, SOUTH CAROLINA ON JUNE 15, 2009; TO DEVELOP A JOINTLY OWNED BUSINESS PARK IN CONJUNCTION WITH BEAUFORT COUNTY AND/OR HAMPTON COUNTY, GEOGRAPHICALLY LOCATED IN JASPER COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE SOUTH CAROLINA CODE OF LAWS 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH BEAUFORT COUNTY AND /OR HAMPTON COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION:**

MR. JONES INTRODUCED MR. JOE LUCAS, ATTORNEY FOR SEMBLER. MR. JONES INFORMED THE COUNCIL THAT MR. LUCAS PREPARED THIS ORDINANCE. MR. LUCAS SAID THAT SOME CHANGES TO THE ORIGINAL ORDINANCE THAT THE COUNCIL PASSED WERE NEEDED AND HE SENT THE ATTACHMENTS TO MR. JONES ON 9/21/09. MR. LUCAS DISCUSSED THE CHANGES WHICH INCLUDED IN SECTION 2 THE FLEXIBILITY TO ADD BEAUFORT COUNTY IF THEY WANTED TO PARTICIPATE WITHOUT AMENDING THE ORDINANCE AND THIS CHANGE COULD BE DONE BY RESOLUTION. MR. LUCAS SAID THE TERM PILOT WAS CHANGED TO INFRASTRUCTURE FINANCING AGREEMENT AND THERE WAS AN ADDITIONAL CHANGE THAT WAS REQUESTED BY HARDEEVILLE. MR. LUCAS INFORMED THE COUNCIL THAT HAMPTON COUNTY SCHEDULED THE 3<sup>RD</sup> READING OF THIS ORDINANCE FOR THEIR 9/21/2009 MEETING. MR. LUCAS SAID THE MULTI-COUNTY PARK WAS ONLY LOCATED IN JASPER COUNTY, AND NONE OF THE PARK WOULD BE IN BEAUFORT COUNTY. MR. LUCAS SAID THAT BEAUFORT COUNTY HAS TABLED THEIR DECISION ON THIS MATTER. MR. LUCAS TOLD THE COUNCIL THAT THE CHANGES

TO THE ALLOCATIONS WERE MADE. COUNCILMAN ETHERIDGE SAID THAT THE COUNTY'S PORTION OF THE ALLOCATION WOULD BE DIVIDED WITH 16% WOULD GO TO THE ALLIANCE, 42 % TO THE COUNTY AND 42% TO THE SCHOOLS, BUT THOSE AMOUNTS CAN BE CHANGED. MR. LUCAS SAID THEY CAN BE CHANGED AS THE COUNCIL DECIDES. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 09-13 ADOPTED BY THE COUNCIL OF JASPER COUNTY, SOUTH CAROLINA ON JUNE 15, 2009; TO DEVELOP A JOINTLY OWNED BUSINESS PARK IN CONJUNCTION WITH BEAUFORT COUNTY AND/OR HAMPTON COUNTY, GEOGRAPHICALLY LOCATED IN JASPER COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE SOUTH CAROLINA CODE OF LAWS 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH BEAUFORT COUNTY AND /OR HAMPTON COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES – 2<sup>ND</sup> READING 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 TO POSTPONE THE DATE OF THE REFERENDUM:**

MR. JONES SAID THAT THIS ORDINANCE WAS TO AMEND ORDINANCE 09-08 TO POSTPONE THE REFERENDUM REGARDING THE METHOD OF ELECTION, THE NUMBER OF COUNCIL MEMBERS AND RELATED MATTERS. MR. JONES SAID THAT THIS ORDINANCE IS TO POSTPONE THE ELECTION TO 2012. COUNCILMAN TYLER ASKED IF THE NUMBER OF COUNCIL MEMBERS WILL BE THE SAME AS THE NUMBER OF SCHOOL BOARD MEMBERS. CHAIRMAN HOOD RESPONDED THAT THEY WERE REQUESTING THAT THE SCHOOL BOARD MEMBERSHIP BE REDUCED TO SEVEN AND THE COUNCIL AND THE SCHOOL BOARD MEMBERS WILL RUN IN THE SAME DISTRICTS. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING 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 MINUTES

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.

**DAVID JIROUSEK- PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 072-00-01-040 AND 037-00-03-009 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO THE RESOURCE EXTRACTION ZONE:**

MR. JIROUSEK PROVIDED A SUMMARY OF THE ORDINANCE. MR. JIROUSEK SAID THAT THE PUBLIC HEARING WAS ADVERTISED IN THE JASPER COUNTY SUN,,THE PROPERTY WAS POSTED, LETTERS WERE MAILED TO PROPERTY OWNERS WITHIN A HALF MILE OF THE PROPERTY. COUNCILMAN GREGORY ASKED HOW MANY NOTICES WERE MAILED AND MR. JIROUSEK ANSWERED 37 LETTERS WERE MAILED. COUNCILMAN GREGORY ASKED IF ANY COMMENTS HAVE BEEN RECEIVED. MR. JIROUSEK SAID THERE HAVE BEEN NO RESPONSES RESULTING FROM THE CURRENT NOTICES. MR. JIROUSEK SAID THERE WERE 3 RESPONSES THAT WERE PROVIDED TO THE COUCNIL AT THE LAST COUNCIL MEETING. COUNCILMAN GREGORY ASKED IF MR. JIROUSEK FELT THE PEOPLE UNDERSTOOD THE LETTERS. MR. JIROUSEK SAID THE LETTER LISTED MINING AND HE FELT IT GOT THE POINT ACROSS. MR. JIROUSEK SAID A PHONE NUMBER WAS PROVIDED FOR ANY QUESTIONS. COUNCILMAN GREGORY SAID HE FELT A MEETING SHOULD BE HELD IN THE COMMUNITY. VICE CHAIRMAN BLACKSHEAR ASKED IF A TRAFFIC STUDY WAS DONE. MR. JIROUSEK SAID THAT A TRAFFIC STUDY IS REQUIRED DURING THE STAFF REVIEW. VICE CHAIRMAN BLACKSHEAR ASKED ABOUT THE ROADS. MR. JIROUSEK ANSWERED THAT THE PLANNING COMMISSION NOTED THE CONCERN AND THAT WOULD BE HANDLED DURING THE PERMITTING PROCESS. MR. JIROUSEK SAID THE ROAD WOULD BE MONITORED AND RETURN TO THE SAME CONDITION IT WAS PRIOR TO THE MINING OPERATION. VICE CHAIRMAN BLACKSHEAR ASKED HOW LONG THIS WAS OPERATION GOING TO GO ON. MR. JIROUSEK SAID THAT THE COUNTY DOES NOT REGULATE THE TIME, AS TIME DEPENDS ON THE MARKET CONDITIONS. CHAIRMAN HOOD SAID THAT A LOT FALLS UNDER THE JURISDICTION OF DHEC, NOT THE COUNTY, AND THE COUNTY ZONING ORDINANCE GOES BEYOND WHAT DHEC REQUIRES. MR. FULGHUM SUGGESTED THAT A DA AGREEMENT BE REQUIRED PRIOR TO EXCAVATION PROJECT APPROVAL. MR. FULGHUM SAID THAT THE COUNTY CAN REQUIRE A DA BETWEEN THE DEVELOPER MINUTES

AND THE COUNTY IN ADDITION TO THE DHEC REQUIREMENTS. MR. JIROUSEK SAID THAT THE DA WOULD BE DIRECTLY WITH THE COUNCIL, BUT THE STATUTES SPECIFICALLY ALLOW IT IN THIS TYPE OF SITUATION AND THE DA COULD BE USED AS A VEHICLE TO HANDLE THE QUESTIONS. MR. JIROUSEK SAID THIS ORDINANCE ONLY APPROVES A ZONING CHANGE, AND THERE WERE STILL MANY CONDITIONS THAT HAVE TO BE MET PRIOR TO ANY PERMITS BEING ISSUED. VICE CHAIRMAN BLACKSHEAR COMMENTED THAT ONCE THE ZONING IS CHANGED, THE AGREEMENT WILL NOT HAVE THAT MUCH OF AN EFFECT. MR. FULGHUM SAID THE DA COULD RIDE WITH THE ZONING CHANGE AND MR. JONES ADDED THAT THE 3<sup>RD</sup> READING COULD BE DELAYED UNTIL THE DA IS AGREED UPON. COUNCILMAN GREGORY SAID HE WAS CONCERNED ABOUT THE NOISE AND THERE WERE A LOT OF THINGS ABOUT THE REZONING THAT BOTHERED HIM. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. CAROL DAY SAID THAT SHE OWNS PROPERTY ABOUT 1/2 MILES FROM THE PROPERTY AND SHE RECEIVED A LETTER LAST WEEK. MS. DAY SAID IF REZONED THERE IS NO TIME LIMIT UNLESS THE COUNCIL SETS A TIME LIMIT. MS. DAY SAID SHE WAS CONCERNED ABOUT THE ADJACENT LAND OWNERS AND ASKED IF AN EPA STUDY WAS DONE ON HOW IT WOULD EFFECT THE ADJACENT PROPERTIES. MS. DAY ALSO QUESTIONED THE RECLAMATION OF THE PROPERTY WHEN THE MINING IS COMPLETED. MS. DAY SAID SHE WAS ALSO CONCERNED ABOUT THE NOISE, DUST, TRAFFIC, AND POLLUTION. MS. DAY SAID SHE IS BUILDING A HORSE FARM AND SHE FEELS THE MINING IS PROBLEMATIC TO THE RESIDENTS IN THE BELLINGER HILL AREA. JAMES DALEY SAID HE WAS AN ADJACENT LAND OWNER AND HE DID NOT RECEIVE A NOTIFICATION LETTER FROM THE PLANNING COMMISSION, BUT HE DID SEE THAT THE PROPERTY WAS POSTED. MR. DALEY COMMENTED THAT THE LAND TO BE REZONED IS OWNED BY AN ABSENTEE LAND OWNER. MR. DALEY SAID HE OPERATES A FAMILY OWNED FARM AND THIS ZONING CHANGE WOULD ADVERSELY AFFECT THE USE OF HIS LAND AND EXPLOIT HIM FINANCIALLY. MR. DALEY SAID THERE IS NO PRECEDENT FOR THIS TYPE OF ACTIVITY. MR. DALEY SAID THAT IF DELTA BLUFFS STARTS IN CONJUNCTION WITH THIS OPERATION, LAND AND SAFETY WILL BE AFFECTED. MR. DALEY ASKED THAT THE COUNCIL REJECT THIS PROPOSAL. KATHY WILSON TOLD THE COUNCIL THAT SHE OWNED PROPERTY ON MITCHELL COURT AND THAT SHE AGREED WITH THE TWO PREVIOUS INDIVIDUALS AND SHE DID NOT THINK MINING SHOULD BE APPROVED. ROGER COWART DISCUSSED THE TRAFFIC AND TYPES OF TRUCKS THAT WILL BE USED AND THAT THE ROAD WILL NOT BE ABLE TO HANDLE IT. MR. COWART ASKED THE COUNCIL TO STOP IT NOW. RICHARD ROWN, OWNER OF THE MINUTES

PROPERTY, SAID HE WANTED TO DIG A FIFTY ACRE LAKE AND PUT HOUSES AROUND IT OR BUILD A SENIOR CITIZEN HOME. MR. ROWAN SAID HE FELT IT WOULD TAKE ABOUT FIVE YEARS TO COMPLETE THE OPERATION. MR. ROWAN SAID THAT A GAPPING HOLE WILL NOT BE LEFT, AS WATER WILL FILL IT IN AND THERE IS A FINANCIAL ISSUE. MR. ROWAN SAID THAT THE PEOPLE WERE CONCERNED ABOUT NOISE, BUT PROGRESS GENERALLY DOES CAUSE NOISE. MR. ROWAN SAID HE ASKED WHAT THE COUNTY'S REQUIREMENTS WERE AND HE DID NOT ASK FOR ANYTHING DIFFERENT. MR. ROWAN SAID THAT AN ADJACENT LAND OWNER HAS ALREADY DUG A LAKE. STEVE DAY SAID THAT IF YOU ARE GOING TO BUILD A HOUSE WITH A LAKE AND NOT SELL THE DIRT, THE PROPERTY DOES NOT HAVE TO BE REZONED, BUT IF THE SAND OR SOIL IS SOLD, THE PROPERTY DOES HAVE TO BE REZONED. MR. JIROUSEK INFORMED THE COUNCIL THAT DHEC SETS THE TIME LIMIT AND A BOND IS REQUIRED FOR RECLAMATION. MR. JIROUSEK ADDED THAT THE TRAFFIC AND NOISE IS ADDRESSED AT THE DEVELOPMENT PLAN LEVEL AND THE NOISE IS REGULATED. MR. JIROUSEK SAID THE COUNTY'S ORDINANCE ADDS ANOTHER LAYER OF REGULATIONS PRIOR TO THE PERMITTING PROCESS SO THAT THE COUNCIL CAN HAVE SOME SAY IN THE PROCESS AND REZONING IS THE FIRST STEP IN THE PROCESS. ATTORNEY JONES SUGGESTED THAT THE COUNCIL GIVE THE ORDINANCE A 2<sup>ND</sup> READING AND THAT THE ORDINANCE DOES NOT COME BACK BEFORE COUNCIL UNTIL A DA IS ATTACHED. JAMES DALEY ASKED THE COUNCIL TO CONSIDER INVITING MORE PUBLIC OPINION AND TO HOLD A MEETING IN THE BELLINGER HILL AREA. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC. CHAIRMAN HOOD SAID THAT THEIR QUESTIONS WOULD BE ANSWERED. CHAIRMAN HOOD ASKED THAT THE STAFF SCHEDULE A PUBLIC MEETING IN THE BELLINGER HILL AREA. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS ORDINANCE BE TABLED UNTIL A PUBLIC MEETING IS HELD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE TO CONDITIONALLY ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING PER LOT; TO AMEND THE JASPER COUNTY ZONING ORDINANCE AS AMENDED SO AS TO ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT UNDER CERTAIN CONDITIONS WITHIN JASPER COUNTY; TO AMEND SECTION 6:1 TO ADD SECOND SINGLE FAMILY RESIDENTIAL MINUTES**

**DWELLING UNIT AS A CONDITIONAL USE; TO ADD SECTION 6:2.23 SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT; TO AMEND LDR SECTION 8.11 LOTS (E):**

MR. JIROUSEK INFORMED THE COUNCIL THAT THE REQUEST FOR REVISIONS CONCERNING SEPTIC TANKS WAS ADDED. COUNCILMAN ETHERIDGE SAID HE THOUGHT THIS ORDINANCE WAS TO HELP A FAMILY PLACE A SECOND RESIDENCE ON THEIR PROPERTY; HE DID NOT KNOW THE SECOND DWELLING COULD ALSO BE PLACED FOR RENTAL PROPERTY. MR. JIROUSEK RESPONDED THAT THE PLANNING COMMISSION DECIDED TO OPEN IT UP FOR RENTAL INCOME. COUNCILMAN ETHERIDGE ASKED HOW THE PROPERTY WOULD BE TAXED. MR. JIROUSEK SAID THAT MOBILE HOMES ARE TAXED SEPARATELY FROM THE LAND AND STICK BUILTS RESIDENCES ARE TAXED TOGETHER SINCE THEY ARE ATTACHED TO THE LAND. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE TO CONDITIONALLY ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING PER LOT; TO AMEND THE JASPER COUNTY ZONING ORDINANCE AS AMENDED SO AS TO ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT UNDER CERTAIN CONDITIONS WITHIN JASPER COUNTY; TO AMEND SECTION 6:1 TO ADD SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT AS A CONDITIONAL USE; TO ADD SECTION 6:2.23 SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT; TO AMEND LDR SECTION 8.11 LOTS (E). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AUTHORIZE JASPER COUNTY TO EXCHANGE A 0.29 ACRE TRACT OF LAND WITH THE RICHARD B. BEDELL REVOCABLE TRUST, FOR A 2.97 ACRE TRACT OF LAND IN ORDER TO BENEFIT THE JASPER COUNTY AIRPORT:**

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 2<sup>ND</sup> READING OF THE ORDINANCE TO AUTHORIZE JASPER COUNTY TO EXCHANGE A 0.29 ACRE TRACT OF LAND WITH THE RICHARD B. BEDELL REVOCABLE TRUST, FOR A 2.97 ACRE TRACT OF LAND IN

ORDER TO BENEFIT THE JASPER COUNTY AIRPORT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVR.

**DAVID JIROUSEK - 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING ASSESSORY STRUCTURES:**

COUNCILMAN ETHERIDGE ASKED IF THERE WERE ANY CHANGES TO THE SET BACK REQUIREMENTS. MR. JIROUSEK SAID NO CHANGES WERE MADE. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING ASSESSORY STRUCTURES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**WILBUR DALEY - 2<sup>ND</sup> READING OF THE ORDINANCE TO PROHIBIT TAMPERING WITH CERTAIN SIGNS AND TRAFFIC CONTROL DEVICES:**

MR. DALEY EXPLAINED THAT THIS ORDINANCE WILL ALLOW THE SHERIFF TO TAKE ACTION IF SOMEONE IS FOUND WITH THE SIGNS OR TRAFFIC CONTROL DEVICES. COUNCILMAN GREGORY ASKED WHY THIS ORDINANCE IS NECESSARY WHEN IT IS ALREADY AGAINST THE LAW. MR. FULGHUM RESPONDED THAT THE SITUATION HAS BECOME VERY BAD, THE COUNTY WILL PROCECUTE IF THE INDIVIDUALS ARE CAUGHT. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDIANCE TO PROHIBIT TAMPERING WITH CERTAIN SIGNS AND TRAFFIC CONTROL DEVICES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**1<sup>ST</sup> READING OF AN ORDINANCE TO AMEND THE 2009-2010 BUDGET (BY TITLE ONLY):**

MR. MALPHRUS EXPLAINED THAT THE BUDGET NEEDED TO BE AMENDED TO CORRECT THE LOCAL OPTION SALES TAX CREDIT FACTOR. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF AN ORDINANCE TO AMEND THE 2009-2010 BUDGET (BY TITLE ONLY). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS**

**ANDREW FULGHUM - RESOLUTION AUTHORIZING AN INTER-GOVERNMENTAL AGREEMENT WITH THE TOWN OF RIDGELAND TO APPLY FOR A CBDG GRANT FOR THE CONSTRUCTION OF A FIRE STATION:**

MR FULGHUM TOLD THE COUNCIL THAT THE TOWN OF RIDGELAND REQUESTED THAT THE COUNTY DO A JOINT APPLICATION FOR A CDBG GRANT FOR A NEW FIRE STATION. MR. FULGHUM SAID THE RESOLUTION AUTHORIZES THE JOINT APPLICATION AND ALSO AUTHORIZES THE CHAIRMAN OR THE ADMINISTRATOR TO SIGN THE AGREEMENT. COUNCILMAN GREGORY ASKED IF THIS WOULD COST THE COUNTY ANYTHING AND MR. FULGHUM RESPONDED THAT THERE WERE NO COSTS INVOLVED FOR THE COUNTY, JUST A JOINT APPLICATION. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE RESOLUTION AUTHORIZING AN INTER-GOVERNMENTAL AGREEMENT WITH THE TOWN OF RIDGELAND TO APPLY FOR A CBDG GRANT FOR THE CONSTRUCTION OF A FIRE STATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM - RESOLUTION TO APPOINT MEMBERS TO THE ADA COMMITTEE AND ADOPT THE JASPER COUNTY TRANSITION PLAN DATED APRIL 21, 2009 AND APPROVE THE GRIEVANCE PROCEDURE:**

MR. FULGHUM SAID THAT THE GRIEVANCE SECTION OF THE PREVIOUS RESOLUTION NEEDED TO BE CHANGED AND HE ASKED THE COUNCIL TO APPROVE THIS RESOLUTION WITH THE CORRECTED GRIEVANCE PROCEDURE, THE APPOINTED MEMBERS, AND THE TRANSITION PLAN. MR. FULGHUM SAID THAT THE RESOLUTION WAS NEEDED TO BE COMPLIANT FOR APPLICATION FOR CBDG FUNDS. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE RESOLUTION TO APPOINT MEMBERS TO THE ADA COMMITTEE AND ADOPT THE JASPER COUNTY TRANSITION PLAN DATED APRIL 21, 2009 AND APPROVE THE GRIEVANCE PROCEDURE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**OLD BUSINESS:**

**REAPPOINTMENT OF CHARITY CLELAND AND SUE COLTER TO THE LIBRARY BOARD:**

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO REAPPOINT CHARITY CLELAND AND SUE COLTER TO THE LIBRARY BOARD. THE MOTION CARRIED WITH ALL MEMBER PRESENT VOTING IN FAVOR.

**APPOINTMENT OF MEMBERS TO THE COMPLETE COUNT CENSUS COMMITTEE - TWO MEMBERS FROM EACH COUNCIL MEMBER'S DISTRICT:**

CHAIRMAN HOOD NOMINATED LOUISE RAWLINGS AND AVONDA BETTERSON; COUNCILMAN ETHERIDGE NOMINATED LEO FRAZIER, JR. AND MARYANN ROWELL. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE MS. LOUISE RAWLING, AVONDA BETTERSON, LEO FRAZIER, JR., MARY ANN ROWELL TO THE COMPLETE COUNT CENSUS COMMITTEE AND THAT THE OTHER COUNCIL MEMBERS ARE TO SUBMIT THE ADDITIONAL NAMES TO THE CLERK BY SEPT. 30, 2009. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RONNIE MALPHRUS- PRESENTATION OF PROPOSAL TO ACCEPT INSTALLMENT PAYMENTS FOR PROPERTY TAX:**

MR. MALPHRUS REVIEWED THE MEMOS HE SENT TO COUNCIL REGARDING THE RESEARCH HE DID FOR INSTALLMENT PAYMENTS FOR PROPERTY TAX. MR. MALPHRUS SAID THE ESTIMATES HE RECEIVED FOR SOFTWARE WERE \$20,000-\$30,000.00 FROM SMITH DATA AND \$170,000.00 FROM MANATRON. COUNCILMAN ETHERIDGE ASKED HOW MANY COUNTIES WERE COLLECTING INSTALLMENT PAYMENTS. MR. MALPHRUS SAID HE HAS NOT DONE A SURVEY RECENTLY, BUT PREVIOUSLY ONLY FOUR COUNTIES WERE COLLECTING INSTALLMENT PAYMENTS FOR TAXES. VICE CHAIRMAN BLACKSHEAR ASKED IF ANY OTHER COMPANIES WERE INVESTIGATED. MR. MALPHRUS SAID IF OTHER COMPANIES SOFTWARE WAS USED, THE ENTIRE SYSTEM WOULD HAVE TO CHANGE OVER. MR. MALPHRUS SAID THAT IN ORDER TO TAKE INSTALLMENT PAYMENTS, SOFTWARE WOULD BE NEEDED FOR THE TREASURER, TAX COLLECTOR AND THE AUDITOR AS NEW SOFTWARE WOULD NOT INTERFACE WITH THE CURRENT PROGRAMS. VICE CHAIRMAN BLACKSHEAR SAID HE WOULD LIKE TO SEE INSTALLMENT PAYMENTS IN PLACE BY JANUARY, 2010. COUNCILMAN GREGORY SAID THAT HE FELT IT COULD BE DONE IN HOUSE. COUNCILMAN GREGORY ASKED ABOUT THE BID FOR \$20,000-\$30,000.00 AND IF THERE WAS A POSSIBILITY THAT IT WOULD COST MORE. MR. MALPHRUS SAID HE WOULD HAVE A CONTRACT PRICE AGREEMENT. COUNCILMAN GREGORY ASKED IF THE TREASURER AND TAX COLLECTOR HAVE BEEN CONSULTED. MR. MALPHRUS RESPONDED THAT THE TREASURER OFFICE MAY NEEDS AN ADDITIONAL PERSON. MR. FULGHUM SUGGESTED GETTING A DETAILED ESTIMATE FROM SMITH DATA AND TO INCLUDE THE AMOUNT IN THE BUDGET AMENDMENT. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION FOR MR. MALPHRUS TO GET A DETAILED ESTIMATE FROM SMITH DATA FOR THE SOFTWARE AND TO INCLUDE THE COST IN THE BUDGET

AMENDMENT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM – FINAL CHANGE ORDER AND CLOSEOUT FOR THE JASPER COUNTY GOVERNMENT BUILDING:**

ANY ACTION ON THIS ITEM WAS TO BE MADE AFTER EXECUTIVE SESSION.

**ANDREW FULGHUM – REQUEST FOR ACCEPTANCE OF THE COP GRANT AND AGREEMENT:**

MR. FULGHUM SAID THAT THE SHERIFF AND THE SCHOOL BOARD HAVE BEEN WORKING ON WHO WOULD BE PAYING FOR THESE POSITIONS ONCE THE GRANT FUNDING IS OVER. MR. FULGHUM TOLD THE COUNCIL THAT THE SCHOOL BOARD WILL PAY THE EXPENSES FOR THE TWO SRO OFFICERS THAT WERE PAID FROM GRANT FUNDS WHEN THE GRANT PERIOD IS OVER. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO ACCEPT THE COP GRANT AND THE AGREEMENT FROM THE SCHOOL BOARD TO PAY FOR THE 2 SRO OFFICERS COVERED BY THE GRANT WHEN THE GRANT FUNDING IS OVER. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**NEW BUSINESS:**

**ANDREW FULGHUM – REQUEST FOR A-TAX FUNDING FOR THE PERRY HOUSE PARKING LOT IN THE AMOUNT OF \$26,958.25:**

MR. FULGHUM EXPLAINED THAT THE LOW BID FOR THE PARKING LOT AND THE COST OF LANDSCAPING, AND ARCHITECT FEES WAS \$26,958.25 MORE THAN THE AMOUNT GRANTED FROM THE TRANSPORTATION COMMITTEE. MR. FULGHUM ASKED THE COUNCIL TO APPROVE THAT THE \$26,958.25 BE PAID FROM THE A-TAX FUND. COUNCILMAN ETHERIDGE ASKED IF THE CHAMBER WOULD DECIDE NOT TO MOVE TO THE PERRY HOUSE, COULD THE A-TAX FUNDS STILL BE USED. CHAIRMAN HOOD SAID THE FUNDS COULD NOT BE USED IF THE CHAMBER DID NOT MOVE TO THE PERRY HOUSE. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE \$26,958.25 FOR THE PARKING LOT, LANDSCAPING FEES AND ARCHITECT FEES AT THE PERRY HOUSE AND THE FUNDS WERE TO BE PAID FROM THE A-TAX ACCOUNT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**WILBUR DALEY - APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN JASPER COUNTY AND THE RIDGELAND BAPTIST CHURCH:**

MINUTES  
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MR. DALEY SAID THAT IN THE EVENT OF A HURRICANE OR OTHER SITUATION WHERE STAFF IS CALLED BACK TO WORK, THE STAFF COULD USE THE RIDGELAND BAPTIST CHURCH TO SLEEP, SHOWER, EAT, ETC. MR. DALEY SAID THAT RIDGELAND BAPTIST CHURCH PREPARED AND SIGNED THE MOU WHICH GIVES THE COUNTY PERMISSION TO USE A SECTION OF THE CHURCH AND THAT THE COUNTY WOULD BE RESPONSIBLE FOR ANY DAMAGES. MR. DALEY SAID HE WAS ALSO WORKING ON A GRANT APPLICATION FOR A GENERATOR TO PUT AT THE CHURCH. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN JASPER COUNTY AND THE RIDGELAND BAPTIST CHURCH. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM – DISCUSSION REGARDING COUNCIL APPROVAL OF ALL COUNTY PROJECTS TO BE PRESENTED TO THE TRANSPORTATION COMMITTEE:**

MR. FULGHUM EXPLAINED THAT THE TRANSPORTATION COMMITTEE RECEIVES MANY REQUESTS FOR FUNDING AND HE FELT THE COUNCIL NEEDED TO MAKE A POLICY THAT ANY REQUESTS FROM THE COUNTY NEEDED TO BE APPROVED BY COUNCIL PRIOR TO MAKING THE REQUEST OF THE TRANSPORTATION COMMITTEE. MR. FULGHUM ASKED THAT ALL THE REQUESTS COME TO HIM AND HE WOULD BRING THEM TO COUNCIL. COUNCILMAN GREGORY AGREED THAT THE REQUESTS SHOULD COME TO COUNCIL FOR APPROVAL. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT ALL COUNTY REQUESTS MADE TO THE TRANSPORTATION COMMITTEE MUST BE APPROVED BY COUNCIL PRIOR TO PRESENTATION TO THE TRANSPORTATION COMMITTEE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DALE TERRY – APPROVAL OF BIDS FOR COMPACTORS:**

MR. TERRY ASKED THE COUNCIL TO APPROVE THE LOW BID FROM BAKER WASTE IN THE AMOUNT OF \$31,128.84 FOR TWO 39 YARD COMPACTORS. MR. TERRY SAID HE RECEIVED TWO BIDS. MR. TERRY SAID THAT THE CONTAINERS WERE INCLUDED IN HIS BUDGET. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE BID FOR TWO 39 YARD COMPACTORS FROM BAKER WASTE IN THE AMOUNT OF \$31,128.84. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**CHRIS BICKLEY – DISCUSSION REGARDING THE LCOG EXPANSION AND RENOVATION FINANCING:**

MS. BICKLEY EXPLAINED THAT HE WAS NOT ASKING FOR ANY ACTION AT THIS MEETING, HOWEVER, HE WOULD RETURN IN OCTOBER FOR APPROVAL. MR. BICKLEY SAID HE WAS ASKING FOR ASSISTANCE TO RENOVATE AND EXPAND THE LCOG BUILDING. MR. BICKLEY PROPOSED THAT JASPER COUNTY BORROW THE FUNDS ON BEHALF OF LCOG AND THAT IT WOULD NOT CREATE ANY LIABILITY FOR THE COUNTY. MR. BICKLEY SAID THAT A LEASE PAYMENT WOULD COVER THE COST OF THE LOAN. MR. BICKLEY SAID THAT BY USING JASPER COUNTY'S GOOD NAME TO BORROW THE MONEY, IT COULD BE DONE LESS EXPENSIVELY. MR. BICKLEY SAID HE HOPED THE COUNCIL COULD APPROVE THE REQUEST DURING THREE MEETINGS IN OCTOBER.

**ANDREW FULGHUM – APPROVAL OF AIRPORT OVERLAY BID:**

MR. FULGHUM REQUEST APPROVAL OF THE AIRPORT OVERLAY BID. MR. FULGHUM SAID HE RECEIVED TWO BIDS AND THE LOW BID FROM REA CONSTRUCTION WAS IN THE AMOUNT OF \$363,975.90 AND THE COST WAS COVERED BY A GRANT. COUNCILMAN ETHERIDGE ASKED IF THE GRANT WOULD COVER 100% OF THE COST AND MR. FULGHUM SAID THE COUNTY MATCH WAS 2.5% OR \$11,000.00 AND IT WILL BE GRANT FUNDED. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE AIRPORT OVERLAY BID FROM REA CONSTRUCTION IN THE AMOUNT OF \$363,975.90 AND THAT IT BE PAID WITH GRANT FUNDS.

**ANDREW FULGHUM – APPROVAL OF INSPECTION SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE RUNWAY 3/21 OVER-LAY PROJECT:**

MR. FULGHUM SAID THAT WILBUR SMITH ASSOCIATES WERE THE ENGINEERS FOR THE PROJECT AND THE 1<sup>ST</sup> TASK ORDER WAS FOR THE ADMINISTRATION AND INSPECTION SERVICES FOR THE RUNWAY PROJECT. THE TASK ORDER AMOUNT IS \$38,766.00. MR. FULGHUM SAID THIS EXPENSE IS COVERED BY A GRANT. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE TASK ORDER 1-2009 IN THE AMOUNT OF \$38,766.00 AND THE TASK ORDER IS TO BE PAID FOR WITH GRANT FUNDS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RONNIE MALPHRUS – APPROVAL OF TAX ANTICIPATION NOTE:**

MR. MALPHRUS EXPLAINED THAT THE COUNTY WAS RUNNING LOW ON CASH AND WITH THE FEES DECLINING, THE COUNTY IS RELYING ON PROPERTY TAX REVENUE. MR. MALPHRUS ADDED THAT MOST OF THE TAX REVENUE IS COLLECTED IN DECEMBER AND JANUARY. MR. MALPHRUS ASKED THE COUNCIL TO APPROVE APPLYING FOR A TAX ANTICIPATION NOTE IN THE AMOUNT OF \$5,000,000.00 THAT WILL HAVE A SINGLE PAYMENT THAT WILL BE DUE IN APRIL, 2009. MR. MALPHRUS SAID HE DID NOT HAVE A FIRM COMMITMENT ON THE INTEREST RATE, BUT IT WOULD NOT EXCEED 4.5 %. MR. MALPHRUS SAID THE BUDGET ORDINANCE AUTHORIZES THE COUNCIL TO BORROW MONEY. MR. MALPHRUS SAID THE BANK MAY REQUIRE A RESOLUTION TO GRANT THE FUNDING. MR MALPHRUS ASKED THAT THE COUNCIL APPROVE THE TERMS AND APPROVE FOR CHAIRMAN HOOD TO SIGN THE RESOLUTION. MR. MALPHRUS SAID THAT TIME WAS OF THE ESSENCE FOR THIS BECAUSE THE COUNTY COULD MEET PAYROLL THIS WEEK, BUT THE FUNDS WERE NEEDED TO COVER EXPENSES AND THE NEXT PAYROLL. COUNCILMAN ETHERIDGE ASKED HOW MUCH INTEREST WOULD THE COUNTY HAVE TO PAY AND MR. MALPHRUS SAID ABOUT \$100,000.00. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE TAX ANTICIPATION NOTE IN THE AMOUNT OF \$5,000,000.00, THAT THE INTEREST RATE IS NOT TO EXCEED 4.5%, THAT IT BE A SINGLE PAYMENT LOAN WITH THE PAYMENT BEING DUE IN APRIL, AND THAT CHAIRMAN HOOD IS AUTHORIZED TO SIGN THE RESOLUTION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILMAN GREGORY COMMENTED THAT THIS WAS DONE BEFORE WHEN MR. LOWTHER WAS CHAIRMAN AND BEFORE MR. MOSS CAME AND STRAIGHTENED THINGS OUT.

**WILBUR DALEY – APPROVAL OF RADIO TOWER CONTRACT AND FUNDING:**

STEVEN MALPHRUS TOLD THE COUNCIL THAT THE COUNTY HAD RECEIVED A GRANT IN THE AMOUNT OF \$760,000.00 FOR THE RADIO TOWER AND HE WAS APPEARING BEFORE THE BZA FOR A VARIANCE FOR THE HEIGHT OF THE TOWER. MR. MALPHRUS SAID THE NEW TOWER IS 75 FT. TO 100 FT. HIGHER THAN THE OLD TOWER AND WILL PROVIDE BETTER RECEPTION. MR. MALPHRUS SAID THEY ALSO INTEND TO RENT SPACE TO CELL PHONE PROVIDERS TO GENERATE INCOME FOR THE INSURANCE ON THE TOWER. COUNCILMAN TYLER ASKED IF THE TOWER WOULD SERVE THE ENTIRE COUNTY AND MR. MALPHRUS SAID THAT IT WOULD. COUNCILMAN TYLER MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE RADIO TOWER CONTRACT

IN THE AMOUNT OF \$760,000.00 AND THE TOWER WAS TO BE PAID FOR WITH GRANT FUNDS AND COUNTY MATCH FUND. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**COMMITTEE REPORTS:**

**CHAIRMAN HOOD – COMMUNITY REQUESTS FOR FUNDING:**

CHAIRMAN HOOD SAID THAT SEVERAL AREA CHURCHES AND ORGANIZATION HAVE REQUESTED FUNDING FROM THE COUNTY AND THE COUNTY DOES NOT HAVE ANY MONEY FOR THE REQUESTS.

**ADMINISTRATOR’S REPORT:**

**RONNIE MALPHRUS – FINANCE REPORT:**

MR. MALPHRUS TOLD THE COUNCIL THAT THERE WAS NOT A LOT TO REPORT ON THE REVENUE SIDE, BUT THERE WAS NOTHING ALARMING AT THIS TIME. COUNCILMAN TYLER SAID IT WAS GOING TO BE A GOOD YEAR. MR. MALPHRUS SAID THAT THEY HOPED TO HOLD THEIR OWN THIS YEAR. COUNCILMAN GREGORY COMMENTED HOW COULD IT BE A GOOD YEAR IF THEY HAVE TO BORROW MONEY.

**ANDREW FULGHUM – REGION UNEMPLOYMENT RATES:**

MR. FULGHUM PROVIDED A REPORT ON THE UNEMPLOYMENT RATES. MR. FULGHUM LISTED THE FOLLOWING UNEMPLOYMENT RATES: BEAUFORT COUNTY 8.8%, COLLETON COUNTY 14.1%, HAMPTON COUNTY 15.7%, JASPER COUNTY 10.4%, SOUTH CAROLINA 11.5% AND NATIONALLY 9.7%. MR. FULGHUM SAID HE WAS GOING TO START TRACKING THE UNEMPLOYMENT CLAIMS.

**ANDREW FULGHUM – REVIEW OF CLOSE OUT OF THE AIRPORT GRANT:**

MR. FULGHUM PROVIDED INFORMATION ON THE ITEMS COVERED UNDER THE 2005 AIRPORT GRANT.

**ANDREW FULGHUM – NACO PRESCRIPTION DRUG DISCOUNT CARD UPDATE:**

MR. FULGHUM TOLD THE COUNCIL THAT THE NACO PRESCRIPTION DRUG CARD INFORMATION WAS ON THE COUNTY WEBSITE. MR. FULGHUM SAID THERE WERE 59 USERS AND THE AVERAGE SAVING WAS \$17.00 AND JASPER COUNTY RESIDENTS SAVED \$2,164.00.

**HARDEEVILLE CBDG GRANT:**

MR. FULGHUM SAID THAT HARDEEVILLE IS APPLYING FOR A CBDG GRANT TO RENOVATE A HISTORICAL STRUCTURE AND ADD A 3,000 SQUARE FOOT LIBRARY. MR. FULGHUM SAID HARDEEVILLE ASKED FOR A LETTER OF SUPPORT AND COMMITMENT THAT THE COUNTY

WOULD CONTINUE TO PAY THE UTILITIES AND CONTINUE TO PROVIDE AN ANNUAL ALLOCATION TO THE AHJ LIBRARY. MR. FULGHUM SAID THAT HARDEEVILLE WAS BUILDING THEIR OWN LIBRARY. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO CONTINUE TO FUND THE AHJ LIBRARY AS THE COUNTY IS CURRENTLY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

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

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC. CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

MELISSA BLACK TOLD THE COUNCIL SHE LIVED ON DRIGGER LANE AND THE ROAD IS IN VERY BAD CONDITION. MS. BLACK ASKED THE COUNTY TO TAKE DRIGGER LANE INTO THE COUNTY ROAD SYSTEM. MS. BLACK SAID THAT MR. WESLY ETHERIDGE SPOKE WITH MR. ROY WALKER AND MR. WALKER DOES NOT HAVE A PROBLEM TURNING THE ROAD OVER TO THE COUNTY. MS. BLACK SAID THAT MR. WALKER WAS TO MAINTAIN THE ROAD AND HE IS NOT DOING IT AND THE RESIDENTS DON'T HAVE THE MONEY TO DO IT THEMSELVES. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO LOOK INTO THE SITUATION.

MIKE PEEPLES SAID HE OWNED 154 ACRES ON DRIGGER LANE AND HE SAID THAT AFTER A BAD RAIN, YOUR TRUCK GETS BOGGED DOWN AND IT IS WORSE THAN A WASHBOARD. MR. PEEPLES SAID THERE WAS SUPPOSED TO BE A CUL DE SAC IN FRONT OF A LARGE LOG HOUSE AND A CUL DE SAC OFF OF RICESHIRE ROAD. MR. PEEPLES SAID HE HAD THE EQUIPMENT TO MAINTAIN HIS ROAD, BUT THE OTHER PEOPLE'S ROAD ARE UNBEARABLE. MR. PEEPLES SAID THAT HE DID NOT WANT THE COUNTY TO DO HIS ROAD, BUT HE WOULD ALLOW A DITCH TO BE DUG. MR. PEEPLES TOLD THE COUNCIL THAT EMERGENCY EQUIPMENT COULD NOT TRAVEL THE ROAD WITHOUT BEING DAMAGED. CHAIRMAN HOOD TOLD THE ADMINSTRATOR TO FIND A SOLUTION TO THE PROBLEM. MR. PEEPLES SAID WHEN THE COUNCIL ALLOWED ROY WALKER TO SELL MINI FARMS, MR. WALKER WAS TOLD HE MUST MAINTAIN THE ROADS. MR. PEEPLES SAID THAT ROY WALKER IS NO WHERE TO BE FOUND.

MELISSA BLACK ALSO DISCUSSED A FEW TRAILERS THAT ARE UNFIT FOR PEOPLE TO LIVE IN AND ASKED THE COUNCIL TO RIDE OUT THERE AND INSPECT THEM. CHAIRMAN HOOD SAID THE COUNTY HAD STAFF THAT SHOULD BE CHECKING ON THESE THINGS AND FOR THE PUBLIC TO CALL 726-7700 AND THE RECEPTIONIST WILL CONNECT YOU TO THE PROPER DEPARTMENT.

SHARON DAVID TOLD THE COUNCIL SHE RECENTLY HAD SURGERY AND IT HAS BEEN ALMOST IMPOSSIBLE TO GET BACK AND FORTH TO HER HOME. MS. DAVID SAID SHE HAS LIVED THERE FOR 10 YEARS AND IT HAS GOTTEN HORRIBLE AND THAT ROY WALKER DOES NOT TAKE CARE OF THE ROADS. MS. DAVID SAID ANY CONSIDERATION WOULD BE MUCH APPRECIATED. CHAIRMAN HOOD ASKED THE DEPUTY OF ENGINEERING SERVICES TO INVESTIGATE THE SITUATION.

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

**EXECUTIVE SESSION:**

**DISCUSSION OF MATTERS RELATING TO 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:**

**DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY, THE 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 THE CLAIM:**

**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 WHO'S RECORDS ARE SUBMITTED FOR USE AT THE HEARING:**

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO PROPOSE LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY; DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY,

THE 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 THE CLAIM; DISCUSSION OF EMPLOYMENT, APPOINTMENT, COMPEN-SATION, 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 WHO'S RECORDS ARE SUBMITTED FOR USE AT THE HEARING RETURN FROM EXECUTIVE SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RETURN TO REGULAR SESSION:**

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO REGULAR SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD SAID THAT NO ACTION WAS NEEDED REGARDING THE LEGAL MATTER.

CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO HANDLE THE EMPLOYMENT MATTER.

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE CHANGE ORDERS, BUT NOT TO SIGN OFF ON THE LIQUIDATED DAMAGES. THE MOTION CARRIED WITH VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN TYLER AND ETHERIDGE VOTING FOR. CHAIRMAN HOOD VOTED AGAINST. COUNCILMAN GREGORY WAS NOT PRESENT FOR THE VOTE.

**ADJOURN:**

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

THE MEETING ENDED AT 10:45 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