

**JASPER COUNTY COUNCIL  
JASPER COUNTY GOVERNMENT BUILDING  
COUNCIL CHAMBERS  
MAY 4, 2009  
4:00 P.M.  
MINUTES**

**OFFICIALS PRESENT:**

GEORGE HOOD, CHAIRMAN  
LEROY BLACKSHEAR, VICE CHAIRMAN  
HUBERT TYLER, COUNCILMAN  
HENRY ETHERIDGE, COUNCILMAN  
REV. SAMUEL GREGORY, COUNCILMAN

**STAFF PRESENT:**

ANDREW FULGHUM, ADMINISTRATOR  
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES  
DALE TERRY, DEP. ADM. ENG. SERVICES  
WILBUR DALEY, DEP. ADM. EMG. SERVICES  
WENDY KELLY, DEP. ADM. DEV. SERVICES  
JUDITH FRANK, CLERK TO COUNCIL  
MARVIN JONES, ATTORNEY  
DAVID JIROUSEK, PLANNING DIRECTOR  
LISA LAMB, PLANNING AND ZONING COORDINATOR  
HAZEL HOLMES, AUDITOR  
STEVEN MALPHRUS, DEP. DIR. EMS  
SUSAN WAITE, ASSESSOR  
RENTY KITTY, BUSINESS LICENSE COORDINATOR  
JOHNNY DAVIS, PARKS, AND RECREATION DIRECTOR  
CHRISTY HERMAN, DEVELOPMENT PROJECT COORDINATOR

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 BUDGET WORKSHOP 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 MINUTES:**

**APPROVAL OF THE MINUTES FROM THE 4/20/09 COUNCIL MEETING, 4/15/09 AND 4/22/09 BUDGET WORKSHOP AND 4/24/09 ENGINEERING SERVICES COMMITTEE MEETING:**

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE MINUTES OF THE 4/20/2009 COUNCIL MEETING AND THE BUDGET WORKSHOP MINUTES OF 4/15/2009 AND 4/22/2009 AND TO RECEIVED THE MINUTES OF THE 4/24/2009 ENGINEERING COMMITTEE MEETING FOR INFORMATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PRESENTATIONS AND PROCLAMATIONS:**

**WENDY KELLY–PRESENTATION OF THE JASPER COUNTY GOVERNMENT CAMPUS MASTER PLAN AND BUDGET UPDATE:**

MS. KELLY UPDATED THE COUNCIL ON THE STATUS OF THE MASTER PLAN AND THE BUDGET FOR THE JASPER COUNTY GOVERNMENT COMPLEX. MS. KELLY SAID THE NEW GOVERNMENT BUILDING IS COMPLETE AND THE COURTHOUSE RENOVATION CONTRACT HAS BEEN AWARDED. MS. KELLY EXPLAINED THAT THERE ARE OTHER SMALL JOBS THAT WERE NOT INCLUDED IN THE CONSTRUCTION CONTRACT, THAT STILL NEED TO BE COMPLETED. MS. KELLY SAID THE FUNDING FOR THESE JOBS IS COMING FROM THE \$18,000,000.00. MS. KELLY SAID THE FENCE PROJECT HAS BEEN AWARDED AND THE LANDSCAPING IS DESIGNED AND WILL BE GOING OUT FOR BID. MS. KELLY DISCUSSED EXTENDING THE SIDEWALK ALONG 3<sup>RD</sup> AVENUE FROM THE PERRY HOUSE TO THE NEW GOVERNMENT BUILDING. MS. KELLY SAID THAT A COURTYARD WILL BE BUILT BETWEEN THE COURTHOUSE AND THE GOVERNMENT BUILDING AFTER THE COURTHOUSE RENOVATION IS COMPLETE. MS. KELLY TOLD THE COUNCIL THAT THE SIDEWALKS, CROSSWALKS, AND PARKING LOTS ARE ALL PLANNED. MS. KELLY SAID SOME FUNDING FOR THE PARKING LOT BEHIND THE PERRY HOUSE HAS BEEN APPROVED BY THE TRANSPORTATION COMMITTEE. MS. KELLY EXPLAINED THE LOCATION OF THREE ADDITIONAL PARKING LOTS. MS. KELLY SAID THE LAST DAY FOR COURT TO BE HELD IN THE COURTHOUSE IS MAY 27, 2009; HOWEVER, MS. BOSTICK WILL BEGIN TO MOVE TO THE MARY GORDON ELLIS BUILDING ON MAY 21, 2009. MS. KELLY TOLD THE COUNCIL NOT TO BE SURPRISED IF THERE ARE CHANGE ORDERS FOR THE COURTHOUSE SINCE IT IS A RENOVATION PROJECT. COUNCILMAN ETHERIDGE ASKED IF ANY OF

THE HOUSES THE COUNTY BOUGHT WILL BE REMOVED AND USED FOR PARKING LOTS. MS. KELLY SAID THE HOUSES ARE OWNED BY THE COUNTY AND THEY WILL STAY IN PLACE. COUNCILMAN ETHERIDGE ASKED ABOUT THE WATER ON 3<sup>RD</sup> AVENUE AND WAS THAT PROBLEM GOING TO BE CORRECTED. MS. KELLY SAID IT WOULD BE ADDRESSED WHEN THE SIDEWALKS ARE INSTALLED. COUNCILMAN ETHERIDGE SAID IF 3<sup>RD</sup> AVE. WAS PLANNED TO HAVE SIDEWALKS, WHY DIDN'T THEY GET AN EASEMENT BEFORE NOW. MR. FULGHUM COMMENTED THAT WHEN THE IMPROVEMENTS TO 3<sup>RD</sup> AVE. WERE CHANGED AND THE COUNTY ASKED FOR CONTROL OF THAT ROAD BECAUSE THE STATE WOULD NOT APPROVE THE PARKING DESIGN, THEY DID NOT KNOW THEY WOULD NEED THE EASEMENT. COUNCILMAN ETHERIDGE SAID THAT WITH CONSTRUCTION GOING ON ACROSS THE STREET IN THE COURTHOUSE, HE WAS CONCERNED THE SIDEWALKS WOULD BE DAMAGED. MR. FULGHUM SAID THAT MS. BADGETT IS ALLEGING DAMAGE WAS DONE AND THE CONTRACTOR WOULD HAVE TO TAKE CARE OF THAT AND HE DID NOT THINK THE INSTALLATION OF SIDEWALKS WOULD CAUSE DAMAGE. MS. KELLY SAID THE COURTHOUSE RENOVATION AND THE NEW ADDITIONS MAY CAUSE DAMAGE, BUT SHE DID NOT THINK THE PAVING AND SIDEWALKS WOULD BE AFFECTED. COUNCILMAN ETHERIDGE ASKED IF ANY OTHER EASEMENTS WERE NEEDED. MS. KELLY SAID SHE DID NOT THINK THAT IS A PROBLEM. MR. FULGHUM SAID EASEMENTS MAY BE NEEDED IF SIDEWALKS ARE INSTALLED FROM THE OLD JAIL LOT TO THE BUILDING. COUNCILMAN TYLER ASKED ABOUT PARKING FOR THE OPEN HOUSE. MS. KELLY SAID SHE WAS NOT SURE HOW MANY PEOPLE WERE EXPECTED, BUT SHE FELT THERE WOULD BE ENOUGH PARKING. CHAIRMAN HOOD ASKED IF THE REAR PARKING LOT WOULD BE AVAILABLE. MS. KELLY RESPONDED THAT IT WILL BE OPEN ON THURSDAY. COUNCILMAN GREGORY ASKED WHY THAT AREA NEEDED TO BE REPOURED. MS. KELLY EXPLAINED THAT ONE SECTION WAS BREAKING UP AND IT NOT WAS INSTALLED PROPERLY, BUT THE REMAINDER OF THE PARKING LOT IS FINE. COUNCILMAN GREGORY ASKED IF THERE IS A LOT OF CHANGE ORDERS FOR THE COURTHOUSE, WHERE WOULD THE MONEY COME FROM TO PAY FOR THEM. MR. FULGHUM SAID THAT THERE WAS A LARGE CONTINGENCY BUILT IN. COUNCILMAN GREGORY SAID THE BACK OF THE BUILDING NEEDS TO BE OPEN TO THE PEOPLE. COUNCILMAN GREGORY SAID IT IS INCONVENIENT FOR PEOPLE, ESPECIALLY ELDERLY PEOPLE, TO HAVE TO WALK AROUND THE BUILDING TO GET IN. MS. KELLY SAID THERE WAS A SIDEWALK. COUNCILMAN GREGORY SAID HE FELT THE COUNTY SHOULD SELL THE HOUSES TO SOMEONE WHO WILL MOVE THEM AND USE THE LAND FOR PARKING

LOTS. COUNCILMAN GREGORY SAID THAT THEY NEED TO BE MORE CONCERNED ABOUT THE NEEDS OF THE PEOPLE. COUNCILMAN ETHERIDGE ASKED HOW MANY PARKING SPACES ARE NEEDED. MS. KELLY SAID SHE HAS NOT SEEN THE NUMBER, BUT THEY ARE WORKING TOWARDS IT WITH THE OTHER LOTS. CHAIRMAN HOOD ASKED COULD PEOPLE PARK AT THE PERRY HOUSE AND MS. KELLY SAID THAT THEY CAN USE THAT PARKING LOT. CHAIRMAN HOOD ASKED IF A-TAX MONEY COULD BE USED ON THE PERRY HOUSE PARKING LOT AND THEN THEY COULD USE THE C-FUNDS TO PAVE ANOTHER LOT. MR. MALPHRUS SAID HE DID NOT THINK A-TAX FUNDS COULD BE USED. COUNCILMAN ETHERIDGE ASKED IF ANYONE COULD TELL HIM HOW MANY EMPLOYEES NEED PARKING SPACES. MR. FULGHUM SAID THE GOVERNMENT BUILDING AND THE COURTHOUSE HAVE A CERTAIN NUMBER OF SPACES AND HE COULD NOT TELL THE COUNCIL HOW MANY SPACES, BUT THE PLANS WERE APPROVED BY THE RIDGELAND PLANNING DEPARTMENT. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO PROVIDE THE INFORMATION TO THE COUNCIL. COUNCILMAN GREGORY SAID THAT WHEN THE COURTHOUSE OPENS THEY WILL BE OVERWHELMED WITH CARS. COUNCILMAN GREGORY SAID THE BACK DOOR SHOULD BE OPEN TO THE EMPLOYEES AND THE PUBLIC.

**REPRESENTATIVE DR. CURTIS BRANTLEY:**

REPRESENTATIVE BRANTLEY SAID HE WISHED HE COULD BRING GOOD FINANCIAL NEWS FROM COLUMBIA, BUT HE COULD PROVIDE THE COUNCIL WITH NEW LEGISLATIVE MANUALS. REP. BRANTLEY SAID THE HOUSE PASSED THE BUDGET, BUT THE SENATE IS ON FURLOUGH FOR FOUR WEEKS. REP. BRANTLEY SAID THE HOUSE CUT \$70,000.00 FROM THE AMOUNT THEY WANTED TO CUT LOCAL GOVERNMENT FUNDING, BUT THE SENATE ADDED IT BACK SO THE COUNTY IS GOING TO BE CUT AGAIN. CHAIRMAN HOOD ASKED IF THERE WAS ANY NEWS REGARDING THE LEGISLATURE OVERRIDING GOVERNOR SANFORD ON THE STIMULUS FUNDING. REP. BRANTLEY TOLD THE COUNCIL THAT THE ATTORNEY GENERAL SAID IT COULD NOT BE DONE. REP. BRANTLEY SAID THE HOUSE ADDED STIMULUS FUNDING TO BALANCE ITS BUDGET. CHAIRMAN HOOD INVITED REP. BRANTLEY TO A BUDGET WORKSHOP.

**PUBLIC HEARINGS AND ORDINANCES:**

**DAVID JIROUSEK -3<sup>RD</sup> READING THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ESTABLISH CRITERIA FOR THE PERMITTING, CONSTRUCTION AND OPERATION OF ALL EXCAVATION ACTIVITIES WITHIN JASPER COUNTY; TO AMEND ARTICLE 3 OF THE**

**JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD SECTION 3:6.1.2A TITLED "EXCAVATION PERMIT"; TO AMEND ARTICLE 4 OF THE ZONING ORDINANCE OF JASPER COUNTY AS AMENDED, TO ADD A DEFINITION FOR "EXCAVATION PLAN"; TO AMEND THE DEFINITION OF EXCAVATION, EXCAVATION ACTIVITIES, AND EXCAVATION OPERATIONS FOUND IN ARTICLE 4 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED; TO AMEND ARTICLE 5 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD "RESOURCE EXTRACTION" TO SECTION 5.1; TO AMEND ARTICLE 5 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD THE INTENT OF RE "RESOURCE EXTRACTION" TO SECTION 5.3; TO AMEND TABLE 1 OF SECTION 6:1 OF ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED, TO REPLACE CERTAIN ENTRIES IN SECTOR 21 AND TO AMEND ZONE RC TO CHANGE "C" TO "N", TO AMEND ZONE RP TO CHANGE "C TO N"; TO AMEND SECTION 6:2 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED, TO CHANGE THE TABLE ENTRY FOR "MINING" TO "MINING OR EXCAVATION"; TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ESTABLISH THE RURAL RESOURCE DISTRICT (RE) AND TO ADD "RE" USE REQUIREMENTS TO SECTION 6.1; TO MAKE CERTAIN AMENDMENTS TO SECTION 6:2.14 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED; TO AMEND ARTICLE 7 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD "RE" SETBACK AND AREA REQUIREMENTS TO SECTION 7.3, TABLE 1; TO AMEND ARTICLE 2 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED, SO AS TO ADD SECTION 11:7 TITLED "EXCAVATION, EXCAVATION ACTIVITIES AND EXCAVATION OPERATIONS" TO INCLUDE SECTION 11:7.1, 11:7.2, 11:7.3, 11:7.4, 11:7.5, 11:7.6 AND 11:7.7; TO AMEND ARTICLE 12 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD "RE" USE AND PARKING REQUIREMENTS TO SECTION 12:1, TABLE 12:1; TO AMEND TABLE 4 OF SECTION 12:8.2-3 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, TO ADD "EXCAVATION ACTIVITIES" AS A PROPOSED USE AND ADD CERTAIN BUFFER REQUIREMENTS; TO AMEND SECTION 12:8.2-4 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, TO ADD BUFFERYARD 7A AND 7B TO THE BUFFERYARD ILLUSTRATION TABLE; AND TO REPEAL ARTICLE 14 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED:**

DAVID JIROUSEK PRESENTED THE ORDINANCE AND EXPLAINED THAT THERE WERE NO CHANGES SINCE THE LAST READING. MR. JIROUSEK SAID THE ORDINANCE ESTABLISHES A NEW ZONING DISTRICT AND FORMALIZES THE CONDITIONAL USE FOR MINING AND PERMITTING. MR. JIROUSEK INFORMED THE COUNCIL THAT HE HAS SPOKEN WITH SEVERAL MINING COMPANIES. MR. JIROUSEK SAID THIS ORDINANCE SETS OUT GUIDELINES THAT ARE MORE RESTRICTIVE THAN THE STATE GUIDELINES. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ESTABLISH CRITERIA FOR THE PERMITTING, CON-STRUCTION AND OPERATION OF ALL EXCAVATION ACTIVITIES WITHIN JASPER COUNTY; TO AMEND ARTICLE 3 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD SECTION 3:6.1.2A TITLED "EXCAVATION PERMIT"; TO AMEND ARTICLE 4 OF THE ZONING ORDINANCE OF JASPER COUNTY AS AMENDED, TO ADD A DEFINITION FOR "EXCAVATION PLAN"; TO AMEND THE DEFINITION OF EXCAVATION, EXCAVATION ACTIVITIES, AND EXCAVATION OPERATIONS FOUND IN ARTICLE 4 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED; TO AMEND ARTICLE 5 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD "RESOURCE EXTRACTION" TO SECTION 5.1; TO AMEND ARTICLE 5 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD THE INTENT OF RE "RESOURCE EXTRACTION" TO SECTION 5.3; TO AMEND TABLE 1 OF SECTION 6:1 OF ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED, TO REPLACE CERTAIN ENTRIES IN SECTOR 21 AND TO AMEND ZONE RC TO CHANGE "C" TO "N", TO AMEND ZONE RP TO CHANGE "C TO N"; TO AMEND SECTION 6:2 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED, TO CHANGE THE TABLE ENTRY FOR "MINING" TO "MINING OR EXCAVATION"; TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ESTABLISH THE RURAL RESOURCE DISTRICT (RE) AND TO ADD "RE" USE REQUIREMENTS TO SECTION 6.1; TO MAKE CERTAIN AMEND-MENTS TO SECTION 6:2.14 OF THE ZONING ORDINANCE OF JASPER COUNTY, AS AMENDED; TO AMEND ARTICLE 7 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD "RE" SETBACK AND AREA REQUIREMENTS TO SECTION 7.3, TABLE 1; TO AMEND ARTICLE 2 OF THE ZONING ORD-INANCE OF JASPER COUNTY, AS AMENDED, SO AS TO ADD SECTION 11:7 TITLED "EXCAVATION, EXCAVATION ACTIVITIES AND EXCAVATION OPERATIONS" TO INCLUDE SECTION 11:7.1, 11:7.2, 11:7.3, 11:7.4, 11:7.5, 11:7.6 AND 11:7.7; TO AMEND ARTICLE 12 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ADD "RE" USE

AND PARKING REQUIREMENTS TO SECTION 12:1, TABLE 12:1; TO AMEND TABLE 4 OF SECTION 12:8.2-3 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, TO ADD "EXCAVATION ACTIVITIES" AS A PROPOSED USE AND ADD CERTAIN BUFFER REQUIREMENTS; TO AMEND SECTION 12:8.2-4 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, TO ADD BUFFERYARD 7A AND 7B TO THE BUFFERYARD ILLUSTRATION TABLE; AND TO REPEAL ARTICLE 14 OF THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK-2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THE FOLLOWING PARCEL BEARING TAX MAP NUMBER 052-00-05-005 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE AND RURAL PRESERVATION ZONE TO THE RURAL PRESERVATION ZONE; TO TRANSFER THE FOLLOWING PARCEL BEARING TAX MAP NUMBER 016-00-02-100 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE TO THE RURAL PRESERVATION ZONE; TO TRANSFER PARCELS BEARING TAX MAP NUMBER(S) 067-00-02-014 AND 042-00-04-034 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO THE GENERAL COMMERCIAL ZONE; TO TRANSFER PARCEL BEARING TAX MAP NUMBER 063-20-01-001 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE GENERAL COMMERCIAL ZONE TO THE RURAL PRESERVATION ZONE; TO TRANSFER PARCEL BEARING TAX MAP NUMBER 063-00-06-002 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO THE PLANNED DEVELOPMENT DISTRICT; TO TRANSFER PARCEL BEARING TAX MAP NUMBER 038-00-06-032 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE COMMUNITY COMMERCIAL ZONE AND THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE AND TO TRANSFER PARCEL BEARING TAX MAP NUMBER 039-00-02-005 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE:**

MR. JIROUSEK EXPLAINED THAT THE STAFF INITIATED THE CHANGES FOR 8 PARCEL AND THESE PARCELS ARE ALSO AN EXAMPLE OF THE 4 ISSUES ON THE ZONNG MAP. MR. JIROUSEK SAID THAT CERTAIN

PARCELS ARE MISZONED, SOME PARCELS ARE SPLIT ZONED, TAX MAP NUMBERS ARE INCORRECT, AND THE DATA IS AT TIMES INCONSISTANT. MR. JIROUSEK SAID THAT IT WAS A MAJOR UNDERTAKING TO GO THROUGH THE ENTIRE ZONING MAP AND HE WILL PROVIDE AERIAL PHOTOGRAPHS PRIOR TO THE 3<sup>RD</sup> READING. CHAIRMAN HOOD ASKED HOW THEY WERE FINDING THE ERRORS. MR. JIROUSEK RESPONDED THAT CITIZENS HAVE COME IN AND THE STAFF WORKING ON IT. COUNCILMAN TYLER ASKED IF ANY OF THE CHANGES WERE AFFECTING THE POOR PEOPLE IN THE COUNTY AND MR. JIROUSEK SAID THAT IT WAS NOT. VICE CHAIRMAN BLACK-SHEAR MOTIONED AND COUNCILMAN TYLERS SECONDED THE MOTIONED 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 FOLLOWING PARCEL BEARING TAX MAP NUMBER 052-00-05-005 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE AND RURAL PRESERVATION ZONE TO THE RURAL PRESERVATION ZONE; TO TRANSFER THE FOLLOWING PARCEL BEARING TAX MAP NUMBER 16-00-02-100 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE TO THE RURAL PRESERVATION ZONE; TO TRANSFER PARCELS BEARING TAX MAP NUMBER(S) 067-00-02-014 AND 042-00-04-034 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO THE GENERAL COMMERCIAL ZONE; TO TRANSFER PARCEL BEARING TAX MAP NUMBER 063-20-01-001 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE GENERAL COMMERCIAL ZONE TO THE RURAL PRESERVATION ZONE; TO TRANSFER PARCEL BEARING TAX MAP NUMBER 063-00-06-002 DEPICTED ON THE JASPER COUNTY OFFICIAL ONING MAP IN THE RURAL PRESERVATION ZONE TO THE PLANNED DEVELOPMENT DISTRICT; TO TRANSFER PARCEL BEARING TAX MAP NUMBER 038-00-06-032 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE COMMUNITY COMMERCIAL ZONE AND THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE AND TO TRANSFER PARCEL BEARING TAX MAP NUMBER 039-00-02-005 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE. THE MOTION CARRIED WITH ALL MEMBER PRESENT VOTING IN FAVOR.

**RONNIE MALPHRUS-2<sup>ND</sup> READING OF AN ORDINANCE TO AMEND THE 2008-2009 COUNTY BUDGETS:**

MR. MALPHRUS TOLD THE COUNCIL THAT THIS ORDINANCE WAS TO AMEND THE CURRENT BUDGET. MR. MALPHRUS SAID THAT DUE TO THE ECONOMIC DOWNTURN THEY CUT \$247,000.00 FROM THE BUDGET. COUNCILMAN ETHERIDGE ASKED ABOUT THE PAYMENT FOR

THE ROSELAND FIRE STATION AND THE MOSQUITO CONTROL. MR. MALPHRUS RESPONDED THAT THE ROSELAND FIRE STATION WAS PAID OFF AND THE MONEY THEY CUT FROM THE MOSQUITO CONTROL BUDGET WAS FOR AN ADDITIONAL SPRAYER. COUNCILMAN GREGORY ASKED IF THE COUNTY HAD A BACK-UP SPRAYER AND MR. MALPHRUS SAID THAT PUBLIC WORKS HAD AN EXTRA ONE. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE 2008-2009 COUNTY BUDGET. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**WENDY KELLY–PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE AUTHORIZING AN AMENDMENT TO THE MASTER PARK AGREEMENT GOVERNING THE MULTI-COUNTY INDUSTRIAL BUSINESS PARK BY AND BETWEEN JASPER COUNTY, SC AND BEAUFORT COUNTY, SC IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTY LOCATED IN BEAUFORT COUNTY, SOUTH CAROLINA, AND OTHER MATTERS RELATED THERETO:**

MS. KELLY SAID THE AMENDMENT WAS TO ADD ADDITIONAL PROPERTY TO THE MULTI-COUNTY INDUSTRIAL BUSINESS PARK. MS. KELLY SAID THE MULTI-COUNTY INDUSTRIAL BUSINESS PARK WAS LOCATED IN BEAUFORT COUNTY. MS. KELLY SAID THE COUNTY WOULD RECEIVE 1% OF THE FEES. MS. KELLY SAID THERE WAS ONE CHANGE TO THE ORDINANCE SINCE THE LAST READING AND IT RELATED TO THE WAY PROPERTY WOULD BE REMOVED FROM THE PARK. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE TO APPROVE THE AMENDMENT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING & 2<sup>ND</sup> READING OF THE ORDINANCE AUTHORIZING AN AMENDMENT TO THE MASTER PARK AGREEMENT GOVERNING THE MULTI-COUNTY INDUSTRIAL PARK BY AND BETWEEN JASPER COUNTY, SC AND BEAUFORT COUNTY, SC, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN PROPERTY LOCATED IN BEAUFORT COUNTY, SC. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES-2<sup>ND</sup> READING OF THE ORDINANCE REGARDING THE LOCAL VENDOR PREFERENCE SECTION OF THE COUNTY'S PROCUREMENT POLICY:**

ATTORNEY JONES EXPLAINED THAT THIS ORDINANCE DEALT WITH THE LOCAL VENDOR PREFERENCE SECTION OF THE COUNTY'S PROCUREMENT POLICY AND ESTABLISHED THE CRITERIA OF HOW A LOCAL VENDOR WOULD BE GIVEN THE BID PROVIDING IT DID NOT COST THE COUNTY ANYMORE THAN THE LOW BID. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE REGARDING THE LOCAL VENDOR PREFERENCE SECTION OF THE COUNTY'S PROCUREMENT POLICY. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS:**

NONE

**OLD BUSINESS**

**WENDY KELLY-RECONSIDERATION OF THIRD AVENUE SIDEWALKS AND EASEMENT:**

COUNCILMAN GREGORY ASKED WHY THIS WAS ON THE AGENDA SINCE THE COUNCIL VOTED NO AT THE LAST MEETING. MARVIN JONES SAID THAT ANYONE WHO VOTED CAN BRING IT BACK UP. MR. JONES SAID THE MOTION DIED BECAUSE THERE WAS NO MOTION AND IT CAN BE BROUGHT BACK UP. MS. KELLY SAID SHE THOUGHT IT MAY NOT BE CLEAR TO THE COUNCIL THAT THE FUNDING IS ALREADY APPROVED TO PAY FOR THE SIDEWALKS AND SHE WANTED THE COUNCIL TO UNDERSTAND THAT PUTTING THE SIDEWALKS ON MS. BADGETT'S PROPERTY WAS NOT COMPENSATION FOR ANY DAMAGES SHE ALLEDGES. COUNCILMAN GREGORY ASKED IF THIS WAS PART OF THE ORIGINAL PLANS AND MS. KELLY RESPONDED THAT SIDEWALKS ON BOTH SIDES OF 3<sup>RD</sup> AVE. WERE PART OF THE ORIGINAL PLAN. MS. KELLY SAID THAT SINCE THE IMPROVEMENTS TOOK UP ALL OF THE RIGHT OF WAY, THEY NEEDED TO GET AN EASEMENT FROM MS. BADGETT. COUNCILMAN ETHERIDGE SAID THE RENOVATION WORK ON THE COURTHOUSE MAY CAUSE DAMAGE AND HE FELT THEY SHOULD WAIT UNTIL THE WORK WAS COMPLETED. COUNCILMAN ETHERIDGE SAID IF SIDEWALKS HAVE BEEN PLANNED, WHY WAIT UNTIL NOW TO GET AN EASEMENT. MR. FULGHUM SAID WHEN THE DESIGN WAS DONE, IT SHOWED THE SIDEWALKS, AND THAT AN EASEMENT WAS REQUIRED. COUNCILMAN GREGORY ASKED IF THE CONTRACTOR WOULD BE RESPONSIBLE FOR ANY DAMAGE AND MR. JONES SAID THAT WAS CORRECT. ATTORNEY JONES SAID HE DREW UP AN EASEMENT A FEW MONTHS AGO AND MS. BADGETT

HAS NEVER ASKED FOR COMPENSATION. CHAIRMAN HOOD ASKED IF SHE WOULD GIVE THE EASEMENT. MR. JONES ANSWERED THAT SHE SEEMED WILLING. COUNCILMAN TYLER ASKED IF IT WAS IN WRITING. MS. KELLY SAID THERE WAS AN UNSIGNED COPY IN THE PACKET THEY RECEIVED. MR. FULGHUM SAID THEY WERE LOOKING FOR COUNCIL'S APPROVAL AND THEN THEY WERE GOING TO GO TO MS. BADGETT. VICE CHAIRMAN BLACKSHEAR SAID HE FELT THIS WOULD ENHANCE THE BUILDING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE SIDEWALK AND TO GET AN EASEMENT FROM MS. BADGETT TO HAVE THE SIDEWALK. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, AND COUNCILMAN TYLER VOTING FOR. COUNCILMEN GREGORY AND ETHERIDGE VOTED AGAINST.

MS. KELLY ASKED ABOUT APPROVAL OF THE GREENERY CONTRACT. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE GREENERY CONTRACT. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, AND COUNCILMAN TYLER VOTING FOR. COUNCILMEN GREGORY AND ETHERIDGE VOTED AGAINST.

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**NEW BUSINESS:**

NONE

**COMMITTEE REPORTS:**

CHAIRMAN HOOD REPORTED THAT LCOG AND THE THREE SURROUNDING COUNTIES SUPPORTED THE APPLICATION TO THE STATE INFRASTRUCTURE BANK FOR EXIT 3 AND THAT SEVERAL CBDG GRANTS HAVE BEEN APPLIED FOR AND THEY DID HAVE SOME FUNDING AVAILABLE. CHAIRMAN HOOD ANNOUNCED THAT IT IS VERY IMPORTANT THAT EVERYONE TAKE PART IN THE CENSUS. CHAIRMAN HOOD REPORTED THAT SOME STIMULUS MONEY HAS COME DOWN FOR INFRASTRUCTURE.

**ADMINISTRATOR'S REPORT:**

MR. FULGHUM ANNOUNCED THAT THERE WILL BE A RIBBON CUTTING ON MAY 7, 2009 AT 9:30 A.M. FOR THE NEW JASPER COUNTY GOVERNMENT BUILDING.

MR. FULGHUM INFORMED THE COUNCIL THAT THE COUNTY RECEIVED THE HIGHEST RATING A COUNTY CAN RECEIVE FOR THE RENOVATION PROJECT.

MR. FULGHUM TOLD THE COUNCIL THAT DHEC HAS ISSUED A PERMIT THAT IS GOOD FOR FIVE YEARS FOR A FISHING PIER AT THE OLD

TRESTLE AT KNOWLES ISLAND. MR. FULGHUM SAID THAT THE COUNTY WAS NOT GOING TO DO ANYTHING AT THIS TIME.

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

CURTIS BRANTLEY SAID THAT HE RECEIVED MANY CALLS CONCERNING THE MOSQUITOS AND ASKED WHAT THE COUNTY'S PLANS TO COMBAT THEM WERE. CHAIRMAN HOOD RESPONDED THAT HE HAS ALSO RECEIVED PHONE CALLS AND HE ASKED THE ADMINISTRATOR TO SCHEDULE THE COUNTY FOR SPRAYING. CHAIRMAN HOOD ALSO TOLD THE ADMINISTRATOR TO PUT THE SCHEDULE IN THE NEWSPAPER. MR. MALPHRUS COMMENTED THAT THEY ARE SPRAYING AND A SCHEDULE IS BEING WORKED ON. MR. FULGHUM SAID THEY ARE DOING THE BEST THEY CAN AND WERE CURRENTLY HANDLING THINGS ON A PER CALL BASIS. MR. TERRY SAID HE HAS BEEN RECEIVING ABOUT 40 CALLS PER DAY.

ROY POWELL SAID THAT HE REQUESTED FOIA INFORMATION ON APRIL 8, 2009 AND HE HAS STILL NOT RECEIVED ANYTHING. MR. JONES SAID ONE WENT OUT IN THE MAIL, AND THE ONE DUE TOMORROW WILL GO OUT TOMORROW AND THE OTHER ONE IS NOT DUE YET. MR. POWELL SAID HE ASKED TO BE CALLED AND HE WOULD PICK THEM UP. MR. JONES SAID THEY WERE MAILED. MR. POWELL SAID HE ASKED FOR TWO ITEMS AND DAVID JIROUSEK HAD THE INFORMATION TO HIM THE NEXT DAY. MR. POWELL SAID HE HAS NOT HEARD ANYTHING FROM THE STAFF REGARDING ONLINE PAYMENT OF TRAFFIC TICKETS. MR. FULGHUM SAID THAT PART OF THE FOIA REQUEST AND HE TALKED ABOUT IT WITH THE HARDEEVILLE ADMINISTRATOR. MR. POWELL SAID HE WAS A HARDEEVILLE COUNCILMAN AND HE DID NOT THINK MR. FULGHUM SHOULD BE DISCUSSING HIM WITH THE COUNTY MANAGER. MR. POWELL ASKED IF THE ORDINANCE REGARDING THE BUDGET AMENDMENT WAS ONLINE AND HE WAS TOLD THAT IT WAS ONLINE.

ELBERT WALSH SAID HE HAD CONCERNS ABOUT THE TAXES. MR. WALSH SAID THEY RAISED THE TAXES LAST YEAR AND NOW THE ADMINISTRATION WANTS TO ADD A FIRE TAX. MR. WALSH STATED THAT THERE WERE A LOT OF ELDERLY PEOPLE IN THE COUNTY AND EVERYONE WHO LIVES IN THE COUNTY IS NOT MILLIONAIRES. MR. WALSH ADDED THAT COUNCILMAN BLACKSHEAR REPRESENTS HIS AREA OF THE COUNTY AND HE NEEDS TO OBJECT TO RAISING THE TAXES AND CREATING SPECIAL FIRE PROTECTION TAXES. MR. WALSH SAID IF YOU HAVE THREE PEOPLE WORKING, CUT ONE.

GLADYS JONES ASKED THAT THE COUNCIL HOLD TWO PUBLIC HEARINGS ON THE BUDGET SO THAT ALL THE CITIZENS WILL BE

ABLE TO ATTEND. MS. JONES SAID IT IS VERY HARD FOR WORKING PEOPLE TO ATTEND THE MEETING AT 4:00 P.M.

CHAIRMAN HOOD ANNOUNCED THAT THERE WOULD BE A BUDGET WORKSHOP ON WEDNESDAY, MAY 6, 2009 AT 2:30 P.M. CHAIRMAN HOOD SAID THAT THE COUNCIL WILL TRY TO DO WHAT IS THE LEAST HURTFUL TO THE CITIZENS.

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

**EXECUTIVE SESSION:**

**EMPLOYMENT MATTERS AND CONTRACTUAL MATTERS:**

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

**RETURN TO REGULAR SESSION:**

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

CHAIRMAN HOOD STATED THAT NO ACTION WAS NECESSARY CONCERNING THE CONTRACTUAL MATTER.

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO CONVERT THE MEDICAL CONTROL OFFICER FROM A CONTRACT TO AN EMPLOYEE WITH BENEFITS PROVIDING THERE WILL BE NO ADDITIONAL COST TO THE COUNTY BEYOND THE CONTRACT AMOUNT. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, AND COUNCILMEN GREGORY AND TYLER VOTING IN FAVOR. COUNCILMAN ETHERIDGE RECUSED HIMSELF FROM VOTING.

**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 7:10 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

