



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS**

**358 THIRD AVE.
RIDGELAND, SC 29936
SPECIAL CALLED MEETING/WORKSHOP
SEPTEMBER 29, 2010
3:30 P.M.**

MINUTES

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

STAFF PRESENT - ANDREW FULGHUM-ADMINISTRATOR, RONNIE MALPHRUS-DIRECTOR OF ADMINISTRATIVE SERVICES, JUDITH FRANK – CLERK TO COUNCIL, MARVIN JONES – ATTORNEY, DALE TERRY – DIRECTOR TO ENGINEERING SERVICES

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 3:30 P.M.

PLEDGE OF ALLEGIANCE - CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION – COUNCILMAN GREGORY GAVE THE INVOCATION.

DISCUSSION OF PROCUREMENT POLICY – MR. MALPHRUS SAID THE CHANGES DEALT WITH THE LOCAL PREFERENCE SECTION AS THERE ARE CERTAIN SITUATIONS WHERE A LOCAL PREFERENCE CANNOT BE GIVEN. MR. MALPHRUS SAID LOCAL PREFERENCE CANNOT BE GIVEN IF STATE OR FEDERAL FUNDING IS INVOLVED. MR. JONES SAID THAT LOCAL PREFERENCE CANNOT BE GIVEN IF C-FUNDS ARE INVOLVED. MR. MALPHRUS SAID ANOTHER SECTION THAT HAS BEEN AMENDED RELATED TO PROFESSIONAL SERVICE CONTRACTS AND THE CHANGE WOULD ALLOW THE ADMINISTRATOR TO APPROVE PROFESSIONAL SERVICE CONTRACTS

UP TO \$5,000.00 AND THEY WOULD NOT HAVE TO COME TO COUNCIL FOR APPROVAL AS THE CURRENT POLICY REQUIRES. MR. MALPHRUS SAID THE COUNTY HAS FIRMS WITH INDEFINITE DELIVERY CONTRACTS FOR PROFESSIONAL SERVICES. COUNCILMAN GREGORY ASKED WHAT WAS WRONG WITH THE WAY IT IS BEING DONE NOW. MR. MALPHRUS SAID THE WAY IT IS CURRENTLY WRITTEN THE STAFF WOULD HAVE TO WAIT UNTIL COUNCIL MET TO GET APPROVAL AND THIS WAY WOULD MAKE IT EASIER AND QUICKER. MR. FULGHUM SAID HE WOULD LIKE APPROVAL SO THAT HE COULD GET THE BALL ROLLING QUICKER. MR. FULGHUM PROVIDED THE EXAMPLE OF GRANT FUNDING FOR GRAYS' SCHOOL RENOVATION PROJECT. MR. FULGHUM SAID HE WOULD LIKE TO BE ABLE TO USE THE CYPRESS RIDGE FUNDS IN ADDITION TO THE FUNDS BUDGETED IN THE PLANNING DEPARTMENT AND THE ECONOMIC DEVELOPEMTN DEPARTMENT. COUNCILMAN ETHERIDGE SAID THAT THE ADMINISTRATOR COULD SPEND UP TO \$500,000.00 ON THE COURTHOUSE RENOVATION. MR. MALPHRUS SAID THAT THE ADMINISTRATOR COULD NOT SPEND ANY MONEY BEYOND WHAT WAS BUDGETED. COUNCILMAN TYLER ASKED WHO IS RESPONSIBLE FOR THE MONEY. MR. FULGHUM SAID THE COUNCIL DETERMINES WHAT IS BUDGETED. COUNCILMAN GREGORY SAID THE ADMINISTRATOR CAN APPROVE UP TO \$5,000.00 ALREADY AND HE FELT THE \$500,000.00 THE ADMINISTRATOR WAS AUTHORIZED TO APPROVE ON THE COURTHOUSE RENOVATION WAS TOO MUCH AND THE COUNCIL ONLY FINDS OUT ABOUT IT AFTER IT HAS BEEN SPENT. COUNCILMAN GREGORY SAID HE FELT THE ADMINISTRATOR IS AUTHORIZED TO APPROVE TOO MUCH MONEY. MR. MALPHRUS SAID THE SECTION COUNCILMAN GREGORY WAS REFERRING TO DEALT WITH CHANGE ORDERS AND CURRENTLY THE ADMINISTRATOR CANNOT APPROVE ANYTHING FOR PROFESSIONAL SERVICE CONTRACTS. NO ACTION WAS NECESSARY AS IT WILL BE DISCUSSED AT MONDAY'S MEETING.

DISCUSSION OF FARMERS' MARKET - THE COUNCIL DISCUSSED THE REQUEST FROM MR. BUSTER TYLER ON BEHALF OF THE FARMERS FOR LONGER HOURS. COUNCILMAN ETHERIDGE SAID HE MET WITH MR. BUSTER TYLER AND MR. TYLER FELT THE HOURS WERE TOO SHORT. VICE CHAIRMAN BLACKSHEAR ASKED IF ALL THE FARMERS MADE THE REQUEST OR JUST MR. TYLER. MR. ETHERIDGE SAID THAT MR. TYLER SAID HE WAS REPRESENTING THE FARMERS. MS. DAWSON DISCUSSED THE VARIOUS FARMERS MARKETS IN THE AREA. MS. DAWSON SAID THE CURRENT HOURS ARE FROM 8:00 A.M. TO NOON. COUNCILMAN ETHERIDGE SAID MR. TYLER SAID THE FARMERS WOULD LIKE FOR THE MARKET TO BE OPEN FROM 9:00 A.M. TO 3:00 P.M. MS. DAWSON AND MS. MALPHRUS SAID THEY WOULD DO WHATEVER THE COUNCIL DIRECTED, HOWEVER THE LONGER HOURS MAY CAUSE THE LOSS OF SOME RENTALS. IT WAS THE CONSENSUS OF THE COUNCIL THAT NO CHANGES BE MADE AT THIS TIME AS THE FARMERS MARKET WOULD ONLY BE OPEN FOR ANOTHER MONTH AND THE HOURS OF OPERATION WILL BE REVISITED IN THE SPRING.

EXECUTIVE SESSION - DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM - SOLICITOR STONE - COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM - SOLICITOR STONE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

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

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO GRANT THE REQUEST OF SOLICITOR STONE REGARDING THE INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF RIDGELAND, THE CITY OF HARDEEVILLE, JASPER COUNTY AND SOLICITOR STONE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

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 4:50 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN