

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
FEBRUARY 2, 2009
4:00 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, 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

STAFF ABSENT:

EVELYN LEE, DEP. 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.

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 MINUTES:

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE MINUTES. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PRESENTATIONS AND PROCLAMATIONS:

THERE WERE NO PRESENTATIONS OR PROCLAMATION.

PUBLIC HEARINGS AND ORDINANCES:

DAVID JIROUSEK – PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE CONDITIONAL USE REGULATIONS FOR TOWNHOUSES AND PATIO HOUSES AND ADOPT REGULATIONS FOR DUPLEXES; TO AMEND THE “RESIDENTIAL USES” SECTION 6:1 TABLE 1; TO AMEND THE TABLE IN SECTION 6:2; TO AMEND SECTION 6:2.1 AND SECTION 6:2.2; TO ADD TO SECTION 6:2, SECTION 6:2.2A DEALING WITH DUPLEXES; TO AMEND TABLE 1 OF SECTION 7.3; TO REVISE THE DEFINITION OF THE PHASES “DWELLING, PATIO HOME” AS FOUND IN ARTICLE 4 OF ZONING ORDINANCE; AND TO REPEAL THE DEFINITION OF THE FOLLOWING TERMS IN ARTICLE 4: PATIO HOME, DWELLING, ZERO LOT LINE, AND DWELLING, PATIO HOUSE:

DAVID JIROUSEK INFORMED THE COUNCIL THAT THERE HAVE NOT BEEN ANY CHANGES TO THE ORDINANCE SINCE THE 2ND READING. MR. JIROUSEK EXPLAINED THAT THE ORDINANCE ADDRESSES WHERE TOWNHOUSES, PATIO HOMES AND DUPLEXES CAN BE LOCATED. COUNCILMAN TYLER ASKED WHO SETS THE REGULATIONS. MR. JIROUSEK SAID THAT THESE CONDITIONS ARE SPECIFIC TO JASPER COUNTY. COUNCILMAN GREGORY ASKED IF A FORMULA WAS USED FOR THE REGULATIONS. MR. JIROUSEK RESPONDED THAT THE DENSITY ALLOWED IS ADDRESSED AND THE FOCUS IS THAT THIS TYPE OF DEVELOPMENT IS BASED ON THE INFRASTRUCTURE, BUT NO FORMULA WAS ACTUALLY USED. COUNCILMAN GREGORY ASKED IF THEY LOOKED AT HOW OTHER COUNTIES HANDLED IT. MR. JIROUSEK RESPONDED THAT THE CONSULTANTS HELPED PUT THIS TOGETHER. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE CONDITIONAL USE REGULATIONS FOR TOWNHOUSES AND PATIO HOUSES AND ADOPT REGULATIONS FOR DUPLEXES; TO AMEND THE “RESIDENTIAL USES” SECTION 6:1 TABLE 1; TO AMEND THE TABLE IN SECTION 6:2; TO AMEND SECTION 6:2.1 AND SECTION 6:2.2; TO ADD TO SECTION 6:2, SECTION 6:2.2A DEALING WITH DUPLEXES; TO AMEND TABLE 1 OF SECTION 7.3; TO REVISE THE DEFINITION OF THE PHASES “DWELLING, PATIO HOME” AS FOUND IN ARTICLE 4 OF ZONING ORDINANCE; AND TO REPEAL THE DEFINITION OF THE FOLLOWING TERMS IN ARTICLE 4: PATIO HOME, DWELLING, ZERO LOT LINE, AND DWELLING, PATIO HOUSE THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO AUTHORIZE THE CONVEYANCE OF AN EASEMENT TO CENTRAL ELECTRIC POWER COOPERATIVE, INC.

MR. JIROUSEK SAID THE ORDINANCE DEALS WITH THE SALE OF THE EASEMENT TO CENTRAL ELECTRIC COOPERATIVE, INC. MR. JIROUSEK SAID THE COUNTY COUNTERED THE CENTRAL ELECTRIC POWER COOPERATIVE, INC. COUNCILMAN TYLER ASKED IF THE CLEARANCE WAS APPROVED BY THE STATE. CHAIRMAN HOOD SAID THAT THEY WERE RECOMMENDED BY THE STAFF. COUNCILMAN TYLER ASKED IF THERE ARE STANDARD REGULATIONS. CHAIRMAN HOOD RESPONDED THAT THE STATE GIVES BROAD GUIDELINES FOR THE PLANNING COMMISSION TO FOLLOW AND THE STAFF AND THE CONSULTANTS PUT THE AGREEMENT TOGETHER. COUNCILMAN GREGORY ASKED IF THERE SHOULD BE WORKSHOPS TO GO OVER THIS TYPE OF THING SO THAT THE COUNCIL WILL BE BETTER INFORMED AND NOT EXPECTED TO VOTE ON SOMETHING THAT HAS NOT BEEN THOROUGHLY EXPLAINED. COUNCILMAN GREGORY SAID HE FELT THE PLANNING COMMISSION SHOULD MAKE A PRESENTATION TO THE COUNCIL. CHAIRMAN HOOD RESPONDED THAT IS NOT THE PROCESS AND THAT HE ATTENDED THE PLANNING COMMISSION WORKSHOP ON SATURDAY AND THE PLANNING COMMISSION ALLOWED HIM TO MAKE COMMENTS. COUNCILMAN GREGORY SAID THAT THIS ORDINANCE STARTED PRIOR TO HIMSELF AND COUNCILMAN ETHERIDGE WERE ON COUNCIL. CHAIRMAN HOOD SAID THAT HE COULD GET THE ZONING ORDINANCE AND THE LDR FROM THE CLERK AND AS HE WORKS ON COUNCIL THINGS WILL BECOME EASIER AND THERE IS A LOT TO UNDERSTAND. COUNCILMAN GREGORY SAID HE HEARS WHAT CHAIRMAN HOOD WAS SAYING, BUT ALL THOSE PRESENT ARE COUNCILMEN AND NO ONE IS MORE IMPORTANT THAN ANY OTHER MEMBER OF COUNCIL. COUNCILMAN GREGORY CONTINUED THAT ALL COUNCIL MEMBERS HAVE THE RIGHT TO KNOW WHAT IS GOING ON. COUNCILMAN GREGORY SAID HE KNEW WHAT GOVERNMENT IS LIKE AND THEY ALL CAN ASK QUESTIONS AND IF THEY WANT TO PASS SOMETHING, HE HAS THE RIGHT TO VOTE AND UNDERSTAND WHAT HE IS ASKED TO VOTE ON. COUNCILMAN GREGORY SAID HE WAS ELECTED BY THE PEOPLE. COUNCILMAN ETHERIDGE ASKED IF THE PRICE WAS NEGOTIATED AND THE STAFF DID NOT ACCEPT THE ORIGINAL OFFER. MR. JIROUSEK RESPONDED THE AMOUNT AGREED TO WAS THE AMOUNT THE COUNTY COUNTERED. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN TYLER MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO AUTHORIZE THE CONVEYANCE OF AN EASEMENT TO CENTRAL ELECTRIC POWER COOPERATIVE, INC. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

MARVIN JONES – PUBLIC HEARING AND 3RD READING OF THE ORDINANCE ADOPTING AND ENACTING THE A NEW CODE FOR JASPER COUNTY, SC ; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE:

MARVIN JONES EXPLAINED THAT THIS ORDINANCE WAS TO ADOPT A NEW CODE AND THAT THE CLERK TO COUNCIL HAS BEEN WORKING DILIGENTLY WITH MUNICIPAL CODE CORPORATION TO PUT THE NEW CODE TOGETHER. MR. JONES SAID THE COUNCIL APPROVED FUNDING FOR THIS PROJECT. 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 3RD READING OF THE ORDINANCE ADOPTING AND ENACTING THE NEW CODE FOR JASPER COUNTY, SC; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RONNIE MALPHRUS- 2ND READING OF THE ORDINANCE TO APPROVE THE FINANCING FOR THE NEW ANNEX BUILDING AND THE COURT-HOUSE RENOVATIONS:

MR. MALPHRUS EXPLAINED THAT THIS ORDINANCE IS TO APPROVE THE FINANCING PACKAGE FOR THE NEW ANNEX BUILDING AND THE COURT HOUSE RENOVATION. MR. MALPHRUS SAID THAT THE FINANCING WAS NOT TO EXCEED \$18,000,000.00 AND THEY WOULD ONLY HAVE TO USE THE ENTIRE AMOUNT. MR. MALPHRUS SAID THAT THIS ORDINANCE ALSO INCLUDES THE COUNCIL ESTABLISHING A NON-PROFIT ORGANIZATION AND THE COUNCIL WOULD APPOINT MEMBERS TO THE COMMITTEE. MR. MALPHRUS SAID THE COUNTY ADMINISTRATOR WOULD SERVE ON THIS COMMITTEE. COUNCILMAN ETHERIDGE COMMENTED THAT THE ORIGINAL AMOUNT THE COUNCIL WAS ASKED TO APPROVE IN 2006 WAS \$11,400,000.00. MR. MALPHRUS SAID THAT AMOUNT WAS FOR THE CONSTRUCTION OF THE ANNEX BUILDING AND RENOVATION OF THE COURTHOUSE, BUT IT DID NOT INCLUDE FURNITURE, EQUIPMENT AND SPECIAL WIRING, THE PARKING LOTS AND OTHER AUXILIARY ITEMS. MR. MALPHRUS SAID THE CURRENT AMOUNT PROJECTED IS \$16,000,000.00, BUT THEY PUT A LITTLE EXTRA AS A CUSHION IN THE EVENT THAT THEY MAY RUN INTO PROBLEMS WITH THE RENOVATION OF THE COURTHOUSE. MR. MALPHRUS SAID THEY WOULD ONLY BORROW THE AMOUNT THEY NEEDED. COUNCILMAN GREGORY ASKED ABOUT THE RENOVATION OF THE COURTHOUSE. MR. MALPHRUS SAID THE RENOVATION INCLUDED

COSMETIC CHANGES, NEW WIRING, NEW PLUMBING, TWO ADDITONS AND TWO ELEVATORS. COUNCILMAN ETHERIDGE ASKED IF THEY PUT THE RENOVATION WORK ON THE COURTHOU E OUT TO BID. MR. MALPHRUS SAID THEY DID PUT IT OUT TO BID, HOWEVER, THEY HAVE NOT BROUGHT IT TO COUNCIL FOR APPROVAL AS THEY WERE STILL WORKING ON SOME DETAILS. COUNCILMAN ETHERIDGE ASKED IF THEY NEEDED TO INCLUDE THE FULL AMOUNT. MR. MALPHRUS SAID THEY ALWAYS ADD A CONTINGENCY AMOUNT FOR UNEXPECTED ITEMS. MR. MALPHRUS SAID THEY WERE STILL UNDER BUDGET ON THE ANNEX BUILDING DUE TO THE AMOUNT INCLUDED IN CONTINGENCY. MR. MALPHRUS SAID THEY DID NOT ANTICIPATE GOING OVER THE \$18,000,000.00. COUNCILMAN ETHERIDGE ASKED ABOUT THE MAKE UP OF THE NON-PROFIT CORPORATION AND MR. MALPHRUS SAID THE ADMINISTRATOR WOULD BE A MEMBER OF THE CORPORATION AND TWO OTHER MEMBERS WHO ARE NOT MEMBERS OF COUNTY GOVERNMENT, BUT IT DOES NOT SPECIFY WHO THE OTHER MEMBERS SHOULD BE. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 2ND READING OF THE ORDINANCE TO APPROVE THE FINANCING FOR THE NEW ANNEX BUILDING AND THE COURT-HOUSE RENOVATIONS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS:

THERE WERE NO RESOLUTIONS.

OLD BUSINESS:

RONNIE MALPHRUS- SUMMARY OF COUNTY BUDGET:

MR. MALPHRUS EXPLAINED THAT PAGES 1-9 DEALT WITH THE REVENUE BUDGETED. MR. MALPHRUS SAID THAT THEY BUDGETED \$27,400,000.00 AND THEY HAVE ONLY COLLECTED \$4,400,000.00. MR. MALPHRUS SAID THAT FROM DECEMBER TO MARCH THE COUNTY COLLECTS MOST OF THE PROPERTY TAXES AND THE REPORT THAT HE RAN WAS ONLY THROUGH NOVEMBER AND THE FUNDS COLLECTED IN DECEMBER WERE NOT POSTED. MR. MALPHRUS SAID THE REVENUE FROM BUILDING PERMITS AND DEED FEES ARE NOT AS PROJECTED DUE TO THE ECONOMY. BUILDING PERMITS ARE NOT BEING ISSUED AS EXPECTED AND SINCE HOUSES ARE NOT SELLING; THE INCOME FROM DEED FEES IS DOWN. MR. MALPHRUS SAID HE DID NOT THINK THEY WILL COLLECT WHAT THEY BUDGETED. COUNCILMAN TYLER ASKED WHAT OTHER PROBLEMS COULD ARISE. MR. MALPHRUS SAID THEY ARE CURRENTLY \$500,000.00 TO \$600,000.00 SHORT IN THE BUILDING PERMIT AND DEED FEES, BUT HE FELT THEY COULD MAKE UP THE SHORTFALL BY NOT SPENDING ALL THAT HAS BEEN BUDGETED. MR. MALPHRUS SAID THE ECONOMY WAS HURTING EVERYONE AND THE COUNTY'S FUNDS WERE ALSO CUT BY THE STATE. MR. MALPHRUS SAID HE DOES NOT EVER BUDGET ALL THE MONEY THAT THE STATE STATES THEY ARE GOING TO GIVE. MR.MALPHRUS SAID THAT

DUE TO THAT, THEY WILL ONLY BE \$8,000.00 SHORT ON THE STATE FUNDS. CHAIRMAN HOOD SAID HE WAS IN COLUMBIA LAST WEEK AND THE SENATOR TOLD HIM THAT THE STATE IS TRYING TO COME UP WITH ANOTHER \$8,000,000.00 IN CUTS AND THE COUNTY CAN EXPECT MORE CUTS FROM THE STATE. COUNCILMAN ETHERIDGE ASKED IF ONLY 16% OF ALL REVENUE WAS COLLECTED AND MR. MALPHRUS SAID THAT WAS CORRECT. MR. MALPHRUS SAID OF THE \$27,400,000.00 BUDGETED AND CURRENTLY BEING HALF WAY THROUGH THE BUDGET YEAR, ONLY 43% OF THE FUNDS BUDGETED HAVE BEEN SPENT. COUNCILMAN GREGORY ASKED IF THERE WERE SHORTFALLS ANYWHERE IN THE BUDGET LINES. MR. MALPHRUS SAID THAT THE DETENTION CENTER HOUSING LINE WAS OVER BUDGET. MR. MALPHRUS SAID THAT THEY BUDGETED \$150,000.00 AND THEY HAVE SPENT \$329,000.00. COUNCILMAN GREGORY ASKED WHAT THEY WERE DOING TO FIX THE SITUATION. MR. MALPHRUS SAID THAT THEY WOULD HAVE TO DO A BUDGET AMENDMENT TO COVER THE OVERAGE. MR. MALPHRUS SAID IT IS HARD TO PROJECT HOW MANY PRISONERS WOULD HAVE TO GO TO JUST CARE IN COLUMBIA. CHAIRMAN HOOD SAID THE COUNCIL WILL BE DISCUSSING THE LINES THAT ARE OVER BUDGET AT THE RETREAT AND ALL THE LINES CAN BE ADJUSTED. COUNCILMAN GREGORY SAID THAT THEY NEED TO BE MINDFUL NOT TO SPEND EVERYTHING BECAUSE OF THE CUTS IN REVENUE. MR. FULGHUM SAID THAT THEY ARE ONLY AT 43% OF BUDGET AND THEY ARE HALF WAY THROUGH THE YEAR. MR. MALPHRUS SAID THAT SOME OF THE LINE ITEMS WERE FOR CONTRACTS AND THAT WHEN THE CONTRACT IS PAID, THERE WOULD BE NO OTHER EXPENSES FROM THOSE LINES AND THAT THE BUILDING PERMIT FEES AND DEED FEES ARE AT THE MERCY OF THE ECONOMY.

APPOINTMENT OF MEMBER TO THE LCOG BOARD:

CHAIRMAN HOOD SAID THAT ONLY ONE PERSON RESPONDED TO THE AD REQUESTING THAT PEOPLE INTERESTED IN SERVING ON THE LCOG BOARD TO CONTACT THE CLERK. CHAIRMAN HOOD SAID THAT DR. GWEN SMITH WAS THE ONLY ONE TO RESPOND. DR. HOOD SAID THE LCOG BOARD MEETS ON THE 3RD THURSDAY OF THE MONTH. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPOINT GWEN SMITH TO THE LCOG BOARD. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

JOHNNY DAVIS – UPDATE ON THE ROBERTVILLE RECREATION PROJECT:

MR. DAVIS SAID THAT IN THE FALL OF 2008 HE APPLIED FOR AND WAS AWARDED A GRANT TO PUT IN A WALKING TRAIL AND IF THERE WAS ENOUGH MONEY, HE WAS GOING TO FENCE IN THE BALLFIELD IN ROBERTVILLE. MR. DAVIS SAID THAT THE ECONOMIC DEVELOPMENT COMMITTEE WENT WITH HIM TO ROBERTVILLE TO MEET WITH THE CITIZENS AND DISCUSS THEIR CONCERNS. MR. DAVIS SAID THAT THEY

WANTED A PLAN TOGETHER BEFORE THE WALKING TRAIL WAS INSTALLED. MR. DAVIS SAID HE MET WITH THE CITIZENS LAST WEEK. CHAIRMAN HOOD SAID HE ATTENDED THE MEETING AND HE WAS IMPRESSED WITH THE DIALOGUE. CHAIRMAN HOOD SAID THAT MR. DAVIS ALSO HANDED OUT A SURVEY AT THE MEETING. MR. DAVIS SAID THAT WHEN THE SURVEY WAS RETURNED, HE WOULD HAVE A GOOD HANDLE ON WHAT THE CITIZENS WANTED. VICE CHAIRMAN BLACKSHEAR ASKED IF THE WATER TANKS WOULD BE MOVED AND MR. DAVIS SAID THEY WILL STAY IN THEIR CURRENT LOCATION. MR. DAVIS SAID HE WOULD LIKE TO INSTALL FENCE AROUND THE BALLFIELD BECAUSE IT IS BEING RUINED AND DRIVEN ON BECAUSE IT IS OPEN. VICE CHAIRMAN BLACKSHEAR ASKED ABOUT SECURITY AND CLEANING. MR. DAVIS RESPONDED THAT HIS PEOPLE WILL HANDLE IT AS THEY DO IN OTHER PARKS. MR. DAVIS SAID THE PARK WOULD REMAIN OPEN, BUT IF IT IS VANDALIZED, IT WILL BE CLOSED. COUNCILMAN GREGORY ASKED IF THE FENCING WAS INCLUDED IN THE PLAN AND MR DAVIS SAID IF ANY MONEY WAS LEFT OVER FROM THE WALKING TRAIL HE COULD ADD THE FENCING. COUNCILMAN GREGORY TOLD MR DAVIS IF THERE WAS NOT ENOUGH MONEY FOR THE FENCING TO COME BACK TO COUNCIL. MR. DAVIS SAID HE COULD DO THAT OR HE COULD WAIT UNTIL HE HAD FUNDING FROM ANOTHER GRANT. COUNCILMAN GREGORY SAID HE FELT IT SHOULD BE DONE NOW TO MAKE SURE THE VANDALISM IS STOPPED. MR. DAVIS SAID THAT HE WILL BE MOVING FORWARD WITH OTHER PARKS. VICE CHAIRMAN BLACKSHEAR ASKED WHAT THE WALKING TRAIL WOULD BE MADE OF AND MR.DAVIS RESPONDED IT WILL BE A ½ MILE CONCRETE WALKING TRAIL. MR. DAVIS SAID HE WOULD LIKE TO CONNECT THE TRAIL TO THE SENIOR SERVICE WING SO THAT THE PEOPLE IN WHEELCHAIR COULD ALSO ENJOY THE TRAIL. VICE CHAIRMAN BLACKSHEAR ASKED IF THE FENCING WOULD BE ON THE OUTSIDE OR INSIDE THE BALLFIELD. MR. DAVIS SAID THE WALKING TRAIL WOULD BE LOCATED OUTSIDE THE FENCE. COUNCILMAN ETHERIDGE ASKED WHAT THE GRANT WOULD COVER AND MR. DAVIS SAID IT WOULD COVER THE WALKING TRAIL AND SOME FENCING. COUNCILMAN ETHERIDGE ASKED ABOUT BATHROOMS AND MR. DAVIS RESPONDED THAT IF THERE IS ANY MONEY LEFT OVER, IT WOULD GO FOR OTHER THINGS IN THE PARK. MR. DAVIS SAID THIS IS PHASE I AND THERE ARE STILL 5-6 ACRES OF WOODED LAND AND HE WILL BE WORKING ON A PLAN FOR THAT. CHAIRMAN HOOD SAID HE WANTED MR. DAVIS TO COME BEFORE COUNCIL AND SHARE THIS INFORMATION WITH ALL OF THEM. COUNCILMAN ETHERIDGE SAID THIS WAS THE FIRST TIME HE HEARD ABOUT THE MEETING AND HE WANTS TO BE INVOLVED IN THE COMMUNITY, BUT HE CAN'T BE INVOLVED IF HE DOES NOT KNOW WHAT IS HAPPENING. CHAIRMAN HOOD SAID HE WAS INVITED TO ATTEND THE MEETING. CHAIRMAN HOOD TOLD MR. FULGHUM HE WAS CONTACTED ABOUT A SEWAGE PROBLEM AND HE ASKED MR. FULGHUM IF HE WAS CONTACTED. MR.FULGHUM ASKED FOR THE LOCATION.

NEW BUSINESS:

RONNIE MALPHRUS -APPROVAL OF ALAN GLASSBERG CONTRACT OF LANDSCAPING, SIDEWALK, AND SIGNAGE DESIGN FOR NEW ANNEX BUILDING:

MR. MALPHRUS INFORMED THE COUNCIL OF THE CONTRACT WITH ALAN GLASSBERG FOR WORK ON THE ANNEX. MR. MALPHRUS EXPLAINED THAT MR. GLASSBERG WAS A LANDSCAPE ARCHITECT FROM RIDGELAND. MR. MALPHRUS SAID THE CONTRACT COVERED 3 AREAS FOR SIDEWALKS, LANDSCAPING, IRRIGATION AND PARKING LOTS. MR. MALPHRUS SAID MR. GLASSBERG WOULD DESIGN THE LANDSCAPING, HANDLE THE BIDDING AND MANAGE THE CONSTRUCTION PART OF THE BIDS. MR. MALPHRUS SAID THAT THE PLAN WILL INCLUDE THE PARKING LOTS AT THE LOCATION OF THE MANNING HOUSE, THE OLD JAIL SITE, AND AROUND THE HOUSE PURCHASED FROM DAVID MATTHEWS. MR. MALPHRUS SAID THAT MR. GLASSBERG WOULD BE DOING THE WORK ON AN HOURLY BASIS AND HE FEELS THE TOTAL WOULD NOT EXCEED \$19,675.00. MR. MALPHRUS SAID THAT MR. GLASSBERG WILL ALSO DO THE INTERIOR AND EXTERIOR SIGNAGE, BUT HE DID NOT HAVE THE PRICE FOR THAT, HOWEVER, HE WOULD BE REIMBURSED FOR THE COST OF THE SIGNS AND THESE EXPENSES ARE NOT INCLUDED IN THE \$19,675.00. COUNCILMAN ETHERIDGE SAID HE FELT THIS SHOULD BE BID OUT AND HE WAS BOTHERED BY THE LETTER FROM ALAN GLASSBERG THAT STATED THAT ANDREW FULGHUM AUTHORIZED HIM TO DO THE WORK ON THIS PROJECT AND THAT MR. FULGHUM IS ONLY BRINGING IT TO COUNCIL AFTER HE ALREADY ACCEPTED THE PROPOSAL. COUNCILMAN ETHERIDGE SAID HE WAS GOING TO GIVE MR. FULGHUM THE OPPORTUNITY TO DEFEND HIMSELF AND COUNCILMAN ETHERIDGE ASKED MR. FULGHUM IF HE AUTHORIZED THE WORK, AS REFERENCED, IN THE LETTER FROM MR. GLASSBERG. MR. FULGHUM SAID HE DID NOT AUTHORIZE THE WORK TO BE DONE. MR. MALPHRUS SAID THAT IT WAS NOT PUT OUT FOR BID BECAUSE OF ALL THE QUALIFICATION REQUIREMENTS THAT HAVE TO BE MET AND THAT THEY WERE RUNNING OUT OF TIME TO GET EVERYTHING DONE SO THEY CAN MOVE INTO THE BUILDING ON TIME. MR. MALPHRUS SAID THE PROCUREMENT POLICY DOES NOT REQUIRE THIS TO BE BID OUT.

COUNCILMAN ETHERIDGE SAID THAT THE PROCUREMENT POLICY NEEDED TO BE DISCUSSED AT THE RETREAT. CHAIRMAN HOOD INSTRUCTED THE CLERK TO MAKE COPIES OF THE PROCUREMENT POLICY AND TO BRING IT TO THE RETREAT. COUNCILMAN GREGORY ASKED MR. MALPHRUS IF HE HAD TO BID IT OUT, COULD HE DO IT. MR. MALPHRUS RESPONDED THAT IT WOULD DELAY GETTING INTO THE BUILDING, BUT HE COULD DO IT. COUNCILMAN ETHERIDGE ASKED MR. MALPHRUS IF SOMEONE ELSE WAS TO HANDLE THIS PREVIOUSLY. MR. MALPHRUS SAID THAT MR. SAGER DECIDED TO PULL THE SIDEWALKS OUT BECAUSE IT COULD BE DONE IN A COLLABORATION DEAL WITH THE TOWN, BUT THIS WAS NOT DONE. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN

ETHERIDGE SECONDED THE MOTION TO APPROVE THE ALAN GLASSBERG CONTRACT OF LANDSCAPING, SIDEWALK, AND SIGNAGE DESIGN FOR NEW ANNEX BUILDING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DALE TERRY- APPROVAL OF BID FOR TRASH COMPACTORS:

MR. TERRY PRESENTED THE BIDS FOR TRASH COMPACTORS. MR. TERRY SAID HE RECEIVED 7 BIDS AND THE LOWEST BID WAS FOR \$34,491.00 FOR TWO COMPACTORS FROM BAKER WASTE. COUNCILMAN GREGORY ASKED WHY NEW COMPACTORS WERE NEEDED AND WHERE WOULD THE MONEY COME FROM? MR TERRY SAID THE MONEY FOR THE COMPACTORS WAS INCLUDED IN THE BUDGET. MR. TERRY SAID THESE ARE SELF CONTAINED COMPACTORS. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE LOW BID OF \$34,491.00 FROM BAKER WASTE FOR TWO COMPACTORS AND THEY ARE TO BE PAID FOR FROM THE MONEY IN THE BUDGET FOR THEIR PURCHASE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – APPROVAL OF FUNDING FOR STATE HOUSE DAY:

MR. FULGHUM SAID THAT MARCH 10, 2009 IS STATE HOUSE DAY IN COLUMBIA. MR. FULGHUM REQUESTED \$5,000.00 IN FINANCIAL SUPPORT AND THE FUNDS CAN BE PAID FOR FROM THE GRANT MATCHING FUND. MR. FULGHUM SAID THE COUNCIL MEMBERS WILL PARTICIPATE IN THE EVENT NOT ONLY FINANCIALLY, BUT HANDS-ON HELPING COOK AND SERVE THE FOOD. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE \$5,000.00 FOR STATE HOUSE DAY AND THE FUNDS WILL BE PAID FROM THE GRANT MATCHING FUND. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

WILBUR DALEY – PRESENTATION AND APPROVAL OF THE PROPOSAL FOR THE FIRE TOWER ROAD FIRE STATION:

MR. DALEY PRESENTED THE PROPOSAL FOR THE PLANS FOR THE FIRE TOWER ROAD FIRE STATION. MR. DALEY SAID HE HAD THE PLANS DRAWN UP BY AN ARCHITECT. MR. DALEY SAID THE ARCHITECT'S PROPOSAL LISTED ALL THE PHASES HE WOULD BE RESPONSIBLE FOR DURING THE CONSTRUCTION OF THE BUILDING. MR. DALEY SAID THAT AN ARCHITECT'S STAMP IS REQUIRED WHEN BUILDING A FIRE STATION. MR. DALEY SAID THE CONTRACT WAS IN THE AMOUNT OF \$19,800.00 MR. DALEY SAID THE LAND FOR THE FIRE STATION WAS DONATED TO THE COUNTY AND CONSTRUCTION NEEDS TO BE STARTED WITHIN A CERTAIN TIME PERIOD. COUNCILMAN GREGORY ASKED HOW THE STATION WOULD BE MANNED AND MR. DALEY SAID THAT HE WOULD HAVE TO COME BACK TO COUNCIL DURING THE BUDGET AND REQUEST FUNDING FOR EMPLOYEES TO MAN THE STATION. COUNCILMAN GREGORY ASKED WHY

BUILD IT NOW IF THERE ARE NO EMPLOYEES. CHAIRMAN HOOD SAID HE THOUGHT MR. DALEY'S ANSWER WAS SATISFACTORY. MR. FULGHUM SAID THAT THERE IS A NEED FOR A FIRE STATION IN THAT AREA EVEN IF IT IS UNMANNED. COUNCILMAN ETHERIDGE ASKED IF IT WILL BE FUNDED WITH THE \$250,000.00 GIVEN FOR THE STATION, ON LAND THAT WAS DONATED TO THE COUNTY. MR. DALEY RESPONDED THAT FUNDS HAVE BEEN BUDGETED FOR THE FIRE TOWER ROAD FIRE STATION. COUNCILMAN TYLER ASKED IF IT WAS A PRESSING POINT AT THIS TIME AND CHAIRMAN HOOD RESPONDED THAT IT WAS PRESSING IF YOU WANT TO GET THE ISO RATINGS DOWN. MR. FULGHUM SAID THAT WHEN THE PROPERTY WAS DONATED THERE WAS A REQUIREMENT THAT THE STATION BE BUILT AT THIS TIME. COUNCILMAN TYLER SAID HE DID NOT THINK THE COUNTY SHOULD BUILD A STATION IF IT WAS NOT NEEDED. COUNCILMAN GREGORY SAID HE WAS CONCERNED THAT THE FIRE STATION WOULD BE UNMANNED NOW. COUNCILMAN GREGORY SAID HE KNEW WHAT HE WAS SAYING AND REQUESTED THAT IT NOT BE INFERRED THAT HE DIDN'T. COUNCILMAN GREGORY SAID WHY A STATION HAVE WITH NO ONE IN IT AND HE WANTS TO KNOW HOW THE STATION WILL BE MANNED. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE ARCHITECT'S CONTRACT IN THE AMOUNT OF \$19,500.00. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS:

CHAIRMAN HOOD SAID THE CLERK RECEIVED A REQUEST FOR NAMING A PORTION OF THE NEW ANNEX BUILDING IN MEMORY OF DECEASED CITIZEN AND HE TOLD HER TO PROCEED AND NOTIFY THE FIRST SEVEN COMMITTEE MEMBERS. CHAIRMAN HOOD EXPLAINED THAT THERE WERE 14 MEMBERS AND THEY SERVE ON A ROTATION BASIS.

ADMINISTRATORS' REPORTS:

MR FULGHUM SAID HE WANTED TO ALERT THE COUNCIL THAT HE RECEIVED NOTICE FROM HARGRAY THAT THEY WERE INCREASING THE COST OF CABLE SERVICE.

MR. FULGHUM INTRODUCED WENDY KELLY, NEW DEPUTY ADMINISTRATOR OF DEVELOPMENT SERVICES TO THE COUNCIL. MS. KELLY DISCUSSED A PENDING BILL. MR. FULGHUM SAID HE WOULD PROVIDE COUNCIL WITH A COPY OF MS. KELLY'S REPORT.

OPEN FLOOR TO THE PUBLIC (THREE MINUTES PER INDIVIDUAL):

MILTON WOODS UPDATED THE COUNCIL OF THE VARIOUS ACTIVITIES SPONSORED BY THE LOW COUNTY WILD FIRE COUNCIL. MR. WOODS SAID THAT THEY HELD TRAINING EVENTS. MR. WOODS SAID THAT SOME OF THE TRAINERS WERE FROM OREGON. MR. WOODS SAID HE HAS WORKED WITH MR. DALEY AND THAT THE LOW COUNTRY WILD FIRE COUNCIL

HOPES TO INSTALL MORE DRY HYDRANTS THIS YEAR. MR. WOODS SAID THE DRY HYDRANTS WILL BE INSTALLED WITHOUT ANY EXPENSE TO THE COUNTY. MR. WOODS INFORMED THE COUNCIL THAT HONEY HILL ESTATES HAS RECEIVED THE FIRE WISE DESIGNATION. MR. WOODS SAID THEY WOULD LIKE TO WORK WITH THE COUNTY AND THEY WILL BE TRYING TO GET SOME GRANT FUNDING. MR. WOODS SAID THEY ARE ALSO WORKING IN BLUFFTON.

GLADYS JONES SAID SHE WAS AWARE OF FENCING TAKEN DOWN FROM THE FARMERS' MARKET AND STORED AT PUBLIC WORKS AND SHE SUGGESTED THAT MR. DAVIS LOOK INTO IT AS HE MAY BE ABLE TO USE THE FENCING AT THE ROBERTVILLE RECREATION CENTER. MRS. JONES SAID SHE WAS CONCERNED ABOUT THE COUNTY'S PROCUREMENT POLICY SINCE IT DOES NOT REQUIRE BIDDING. MRS. JONES SAID THAT THERE WAS A TIME WHEN EVERYTHING OVER \$5,000.00 HAD TO BE PUT OUT TO BID. MRS. JONES SAID THAT IF THE ARCHITECT OF THE ANNEX BUILDING NEEDED INFORMATION FROM THE PERSON WHO WAS DOING THE WORK THAT ALAN GLASSBERG CONTRACT COVERED, THEN HE WOULD HAVE ALSO NEEDED THE SAME INFORMATION FROM ALAN GLASSBERG. MRS. JONES SAID THAT THE COUNTY HAS PAID MR. GLASSBERG ENOUGH MONEY THAT HE COULD LIVE ON IT AND THERE ARE OTHER LANDSCAPE ARCHITECTS WHO LIVE IN THE COUNTY WHO SHOULD HAVE THE OPPORTUNITY TO BID ON THE COUNTY'S PROJECTS AND THE STAFF KNEW THIS WORK NEEDED TO BE DONE.

GARY HODGES ASKED ABOUT THE INCREASE IN CABLE SERVICE OVER THE PAST THREE YEARS. MR. HODGES SUGGESTED THAT THE COUNTY, RIDGELAND, AND HARDEEVILLE OFFICIALS MEET WITH HARGRAY. MR. HODGES SAID THAT ONLY DIGITAL CABLE IS AVAILABLE IN RIDGELAND. MR. HODGES SAID HE WANTS TO KNOW WHY CABLE TV IS GOING UP. CHAIRMAN HOOD SAID THEY COULD ALL WORK TOGETHER.

EXECUTIVE SESSION:

LEGAL MATTERS, CONTRACTUAL MATTERS AND EMPLOYMENT MATTERS:

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

RETURN TO REGULAR SESSION:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO REGULAR SESSION.

CHAIRMAN HOOD ASKED FOR A MOTION CONCERNING CONTRACTUAL MATTERS.

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO TABLE THE CONTRACTUAL MATTERS UNTIL

THE NEXT COUNCIL MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURN:

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

THE MEETING ENDED AT 7:00 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE HOOD
CHAIRMAN