

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
DECEMBER 3, 2007
4:00 P.M.**

OFFICIALS PRESENT:

DR. GEORGE HOOD, CHAIRMAN
GLADYS JONES, VICE CHAIRMAN
LEROY BLACKSHEAR, COUNCILMAN
FRED TUTEN, COUNCILMAN
HUBERT TYLER, COUNCILMAN

STAFF PRESENT;

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADM.
MARVIN JONES, ATTORNEY
JUDITH FRANK, CLERK TO COUNCIL

STAFF ABSENT:

DALE TERRY, DEP. ADM. ENG. SER.
ROY HUGHES, DEP. ADM. EMG. SER.

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:

COUNCILMAN TUTEN GAVE THE INVOCATION.

APPROVAL OF THE MINUTES:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE MINUTES NOV. 13, 2007. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PRESENTATIONS AND PROCLAMATIONS:

DEAN MOSS, BJWSA MANAGER, UPDATE ON DROUGHT:

MR. DEAN EXPLAINED TO THE COUNCIL THAT MANY AREAS IN THE SOUTH CAROLINA, NORTH CAROLINA, AND GEORGIA HAVE BEEN EFFECTED SEVERELY BY THE DROUGHT. MR. MOSS SAID THAT GEORGIA'S SITUATION IS CLOSE TO A CRISIS. MR. MOSS SAID MANY OF THE RIVERS AND LAKES ARE VERY LOW AND HE DISCUSSED THE LEVELS OF THE SAVANNAH BASIN BEING DOWN 10-11 INCHES. MR. MOSS COMMENTED THAT WHILE THE LAKES AND RIVERS ARE DOWN, JASPER COUNTY AND THE MAJOR CITIES IN SOUTH CAROLINA HAVE NOT BEEN IMPACTED, AND THEY ARE NOT AT A CRISIS STAGE. MR. MOSS CONTINUED THAT WHILE WE ARE NOT AT A CRISIS NOW, BUT IF THINGS CONTINUE OVER THE NEXT 2-3 YEARS IF COULD BECOME A BIG PROBLEM. MR MOSS SAID THAT HE HAS NOT RECEIVED ANY CALLS ABOUT WELLS GOING DRY. ONE OF THE PROBLEMS THAT MR. MOSS VOICED CONCERN ABOUT WAS THAT THE CORP OF ENGINEERS RELEASE WATER AND IF IT IS NOT USED IT GOES TO THE OCEAN AND THE CORP WILL CONTINUE TO RELEASE WATER UNTIL IT RUNS OUT. MR. MOSS SAID THAT BJWSA IS CURRENTLY WORKING WITH THE CORP TO SEE IF THEY CAN CUT BACK ON THE AMOUNT OF WATER RELEASED. MR. MOSS SAID THE BJWSA WAS ALSO WORKING WITH HARDEEVILLE AND RIDGELAND TO HELP THEM ACHIEVE THEIR OBJECTIVES. COUNCILMAN TUTEN ASKED ABOUT THE LAKES AT SANTEE AND MR. MOSS RESPONDED THAT THE CATAWBA RIVER IS A MAJOR SOURCE OF WATER FOR THE LAKES AND ALL THOSE LAKES ARE DOWN ABOUT 15 FEET AND LAKE MURRAY HAS THE MOST WATER IN THE STATE. VICE CHAIRMAN JONES COMMENTED THAT THE GOVERNOR OF GEORGIA HAS ASKED HIS CITIZENS TO PRAY FOR RAIN.

BOB BROOKOVER, PRESENTATION OF THE CLEMSON RECREATION STRATEGIC MASTER PLAN:

MR. BROOKOVER BEGAN HIS PRESENTATION WITH AN EXPLANATION THAT THEY GATHERED INFORMATION FROM THE CITIZENS THROUGH SURVEYS AND COMMUNITY MEETINGS. MR. BROOKOVER EXPLAINED THE COUNTY'S ROLE IN PROVIDING RECREATION FOR THE CITIZENS AND THE VARIOUS TYPES OF

RECREATION THE CITIZENS WERE REQUESTING. MR. BROOKOVER SAID THAT THEY VISITED ALL THE CURRENT PARKS AND RECREATION CENTERS AND THE STUDY INCLUDED AREAS THAT NEED IMPROVEMENT AND EXPANSION. MR. BROOKOVER ALSO PROVIDED THE COUNCIL WITH STATISTICS FROM OTHER AREAS AND COMPARED THEM TO JASPER COUNTY. THE MODEL AND MISSION OF RECREATION IN JASPER COUNTY WAS DISCUSSED AND BY BEING PROACTIVE THE COUNTY WOULD SAVE MONEY. MR BROOKOVER CONCLUDED BY SAYING THAT GOOD RECREATION WILL ATTRACT BUSINESSES, AND THE RIGHT TYPE OF GROWTH. MR. BROOKOVER ENCOURAGED THE COUNTY TO WORK WITH THE MUNICIPALITIES WHEN PLANNING FOR RECREATION SO THAT THEY DO NOT DUPLICATE SERVICES. MR. BROOKOVER ALSO PROVIDED THE COUNCIL WITH A LIST OF RECOMMENDATIONS AND A TIMELINE TO GET THE COUNTY CLOSE TO THE STATE AVERAGE.

RUSS HIGHTOWER – WASTE MANAGEMENT UPDATE:

MR. HIGHTOWER UPDATED THE COUNCIL ON THE ACTIONS AND ACTIVITIES THAT WASTE MANAGEMENT ARE IMPLEMENTING. MR. HIGHTOWER SAID HE VISITED THE AREAS SURROUNDING THE LANDFILLS AND HE EITHER SPOKE PERSONALLY TO THE PEOPLE OR LEFT HIS CARD AND SENT THEM A LETTER. MR. HIGHTOWER EXPLAINED THAT WASTE MANAGEMENT WAS FORMING A CITIZENS ADVISORY COMMITTEE AND THEY WILL BE HAVING THEIR FIRST MEETING IN JANUARY. ONE BIG PROJECT THAT MR. HIGHTOWER DISCUSSED WAS THE ENVIRONMENTAL EDUCATION AREA IN THE WETLANDS WHERE THEY WILL BE EDUCATING THE EDUCATORS, AND THEY ARE ALSO WORKING WITH A WILDLIFE HABITAT GROUP AND THEY WILL HAVE ACCESS TO WASTE MANAGEMENT'S PROPERTY AND DEVELOP WAYS TO ATTRACT WILDLIFE. MR. HIGHTOWER SAID THAT HE WAS PERSONALLY WORKING WITH KEEP JASPER BEAUTIFUL.

PUBLIC HEARINGS AND ORDINANCES:

PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO ESTABLISH AN ECONOMIC DEVELOPMENT ALLIANCE BETWEEN JASPER COUNTY AND BEAUFORT COUNTY:

MR. FULGHUM DISCUSSED THE ADVANTAGES OF THE ALLIANCE AND TOLD THE COUNCIL THAT THEY NEEDED TO APPOINT A MEMBER OF COUNCIL AND A STAFF MEMBER TO SERVE ON THIS BOARD. VICE CHAIRMAN JONES ASKED WHO WAS JASPER COUNTY'S BUSINESS AMBASSADOR AND MR. FULGHUM RESPONDED THAT IT WAS BILL OLENDORF. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 3RD READING OF THE ORDINANCE TO ESTABLISH AN ECONOMIC DEVELOPMENT ALLIANCE BETWEEN JASPER COUNTY AND BEAUFORT COUNTY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. THE COUNCIL ELECTED TO NAME THE PEOPLE TO SERVE ON THE BOARD AT THE NEXT COUNCIL MEETING.

PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF JASPER COUNTY, SOUTH CAROLINA, BY PROVIDING FOR THE ASSESSMENT OF AIRCRAFT SUBJECT TO PROPERTY TAX IN JASPER COUNTY, SOUTH CAROLINA; TO ESTABLISH THE ASSESSMENT RATION OF THE FAIR MARKET VALUE OF SUCH AIRCRAFT; TO PROVIDE A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO:

MR. FULGHUM HAD MR. DEAN UPDATE THE COUNCIL ON HIS RESEARCH. MR. DEAN SAID THAT MOST OF THE AIRCRAFT OWNERS HAVE THEIR PLANES REGISTERED IN DELAWARE WHERE NO TAX IS CHARGED. COUNCILMAN TYLER ASKED IF THIS WAS LIKE PAYING TAX ON AUTOMOBILES AND MR. FULGHUM SAID THAT IT WAS. MR. DEAN SAID CURRENTLY 60 PLANES ARE BASED AT THE AIRPORT AND THEY CAN STAY AS LONG AS THEY WANT. MR. DEAN ASKED IF THE ATTORNEY COULD FIND OUT IF IT WOULD BE LEGAL THAT IN ORDER TO LEASE A SPACE FOR AIRCRAFT, THE PEOPLE WOULD HAVE TO REGISTER THEIR PLANES IN JASPER COUNTY AND PAY TAX. MR. JONES SAID HE WOULD CHECK INTO THE MATTER. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN TYLER MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 2ND READING OF THE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF JASPER COUNTY, SOUTH CAROLINA, BY PROVIDING FOR THE ASSESSMENT OF AIRCRAFT SUBJECT TO PROPERTY TAX IN JASPER COUNTY, SOUTH CAROLINA; TO ESTABLISH THE ASSESSMENT RATION OF THE FAIR MARKET VALUE OF SUCH AIRCRAFT; TO PROVIDE A PUBLIC HEARING;

AND TO PROVIDE FOR MATTERS RELATING THERETO CONTINGENT UPON A LEASE AGREEMENT AMENDMENT BEING ADDED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

1st READING OF THE ORDINANCE AMENDING THE ZONING ORDINANCE TO RESCIND CEDED PLANNING AND ZONING AUTHORITY TO THE MUNICIPALITIES:

MR. FULGHUM EXPLAINED THAT THIS ORDINANCE WOULD RESCIND THE AUTHORITY THAT WAS CEDED TO THE MUNICIPALITIES AND THE COUNTY WOULD HANDLE ALL THE FUNCTIONS WITHIN THE COUNTY. MR. FULGHUM SAID IT WOULD ALSO DESOLVE THE JOINT PLANNING COMMISSION AND THE JOINT BOARD OF ZONING APPEALS. MR. FULGHUM SAID THE COUNTY'S PLANNING COMMISSION WOULD HAVE NINE MEMBERS AND THE BOARD OF ZONING APPEALS WOULD HAVE SEVEN MEMBERS. VICE CHAIRMAN JONES ASKED IF THIS ORDINANCE WOULD ABOLISH THE ENTIRE JOINT PLANNING ORDINANCE AND MR. FULGHUM SAID THE ONLY CHANGES WOULD BE THE ONES HE DISCUSSED AND THE INTENT OF THE JOINT PLANNING ORDINANCE WOULD REMAIN THE SAME. MR. FULGHUM SAID THE JOINT PLANNING WOULD STILL BE DONE, BUT THERE WOULD BE CHANGES TO THE MEMBERSHIP OF THE PLANNING COMMISSION AND THE BOARD OF ZONING APPEALS. VICE CHAIRMAN JONES SAID SHE FELT THAT THE ONLY CHANGE TO THE AGREEMENT SHOULD BE THAT THE ZONING PERMITS CAN BE DONE BY THE COUNTY AND THAT WAS THE ONLY THING THAT THE COUNCIL HAD DISCUSSED AND THE COUNCIL REQUESTED IT BECAUSE IT IS WHAT THE CITIZENS REQUESTED. VICE CHAIRMAN JONES SAID THE JOINT PLANNING ORDINANCE IS TOO IMPORTANT TO BACK AWAY FROM WITHOUT THE COUNTY COUNCIL AND THE COUNCILS OF THE MUNICIPALITIES MEETING TO DISCUSS IT. VICE CHAIRMAN JONES SAID THAT SHE DISCUSSED THE MATTER WITH THE COUNTY ATTORNEY, MARVIN JONES, AND HE SAID IT COULD BE DONE THE WAY SHE SUGGESTED. VICE CHAIRMAN JONES SAID THAT THE COUNTY MEMBERS ON THE JOINT PLANNING COMMISSIONS AND ZONING BOARDS OF APPEAL REALLY HAD NO AUTHORITY AS THEY WERE ALWAYS OUTNUMBERED SO THEY DID NOT ACCOMPLISH WHAT THEY WERE ORIGINALLY FORMED FOR. SO THOSE MEMBERS SHOULD COME BACK TO THE COUNTY. VICE CHAIRMAN JONES SAID THAT SHE FELT THE COUNCILS NEEDED TO TALK THIS OVER AND SHE FELT THAT THEY COULD MAKE THIS JOINT PLANNING WORK AND IT WAS TOO IMPORTANT TO ABOLISH. MR. FULGHUM SAID THIS ORDINANCE WOULD RESTRUCTURE THE PLANNING COMMISSION TO 9 MEMBERS, THE BOARD ON ZONING APPEALS TO 7 MEMBERS AND THE COUNTY STAFF WOULD PROCESS THE ZONING PERMITS. COUNCILMAN TUTEN SAID THAT WHEN HE VOTED FOR THE JOINT PLANNING HE THOUGHT THE COUNTY WAS ONLY GIVING THE FIRE PROTECTION TO THE FIVE MILE RADIUS AND THE LOCAL PEOPLE DO NOT KNOW WHY THEY ARE BEING GOVERNED BY THE MUNICIPALITIES IF THEY LIVE IN THE COUNTY. VICE CHAIRMAN JONES SAID THAT THE CITY OF HARDEEVILLE WANTS TO TALK TO THE COUNTY AND CHAIRMAN HOOD SAID THE TOWN OF RIDGELAND DOES NOT WANT TO TALK TO THE COUNTY UNTIL JANUARY. CHAIRMAN HOOD SAID HE DID NOT THINK THERE SHOULD BE A 1ST READING OF THIS ORDINANCE UNTIL THE THREE COUNCILS HAVE MET. CHAIRMAN HOOD SAID HE DID NOT THINK THE ORDINANCE NEEDED TO BE 3 PAGES TO CHANGE IT, BUT BY MAKING IT SO LONG, IT BOGS THE PEOPLE DOWN AND THEY DON'T UNDERSTAND WHAT IS BEING APPROVED. CHAIRMAN HOOD SAID HE FELT THAT THE 3 COUNCILS SHOULD MEET AND DISCUSS THIS BEFORE ANYTHING IS CHANGED. CHAIRMAN HOOD SAID HE WAS TOLD OVER THANKSGIVING THAT HARDEEVILLE WAS NOT GOING TO PROCESS THE PERMITS ANYMORE AND THAT THEY SENT THEM TO THE COUNTY. CHAIRMAN HOOD SAID HE WOULD LIKE TO TALK TO HARDEEVILLE TO FIND OUT WHY THEY DID THAT. COUNCILMAN BLACKSHEAR SAID THAT THE ISSUE IS NOT THE JOINT PLANNING IT IS WITH THE CITIZENS HAVING TO GO TO THE MUNICIPALITIES AND THEY FELT THEY SHOULD BE GOING TO THE COUNTY FOR APPROVALS AND PERMITS. CHAIRMAN HOOD SAID HE DID NOT THINK THIS WAS SO URGENT THAT IT COULD NOT WAIT UNTIL AFTER THE COUNCILS MET. CHAIRMAN HOOD SAID THAT HE KNEW FROM PERSONAL EXPERIENCE WHAT WAS HAPPENING AND HE TRIED TO TELL THE COUNCIL LAST JANUARY AND HE COULD NOT UNDERSTAND WHY THEY WANTED TO RUSH THIS THROUGH. CHAIRMAN HOOD CONTINUED THAT HE WANTED TO DO THE RIGHT THING AND MAKE SURE THE COUNCIL HAD ALL THE INFORMATION BEFORE THEY MADE ANOTHER DECISION CONCERNING THIS MATTER. VICE CHAIRMAN JONES SAID THAT THIS DISCUSSION HAS BEEN GOING ON FOR OVER A YEAR AND SHE FELT IT COULD WAIT UNTIL ALL THE COUNCILS MET. VICE CHAIRMAN JONES MOTIONED AND CHAIRMAN HOOD SECONDED THE

MOTION TO TABLE THIS ORDINANCE UNTIL THERE IS A JOINT MEETING OF THE COUNCILS. COUNCILMAN BLACKSHEAR SAID HE FELT THE COUNCIL SHOULD HAVE THE 1ST READING SINCE IT WOULD NOT AFFECT ANYTHING AND IT CAN BE CHANGED BEFORE THE 2ND READING. CHAIRMAN HOOD SAID THAT HARDEEVILLE IS ALREADY SENDING DOCUMENTS TO THE COUNTY. VICE CHAIRMAN JONES SAID THAT LEGALLY HARDEEVILLE CANNOT JUST SEND THEM TO THE COUNTY TO PROCESS AND HARDEEVILLE NEEDS TO CONTINUE PROCESSING THE PAPERWORK UNTIL A CHANGE IS MADE. VICE CHAIRMAN JONES SAID THAT THE COUNCIL ONLY WANTED THE ZONING PERMITS CHANGED AND THE WAY THIS ORDINANCE IS WRITTEN IT CHANGES EVERYTHING AND IF THE COUNCIL PLANS TO CHANGE THIS ORDINANCE THEY SHOULD NOT HAVE A READING OF IT. ATTORNEY JONES SAID THAT THE COUNCIL CAN AMEND IT SO LONG AS THE SUBJECT MATTER DOES NOT CHANGE. COUNCILMAN BLACKSHEAR SAID THAT HE HAS BEEN RECEIVING A LOT OF CALLS AND THE CITIZENS ARE DISSATISFIED BECAUSE THEY HAVE TO GO TO HARDEEVILLE. VICE CHAIRMAN JONES ASKED LISA LAMB WHAT WAS HAPPENING IN HER DEPARTMENT. MS. LAMB RESPONDED THAT SHE HAS 5 APPLICATIONS THAT SHE CANNOT PROCESS. MR. FULGHUM SAID THE STAFF HAS A PERSPECTIVE OF THE PROJECTS THAT ARE READY TO BE PROCESSED AND THEY HAVE AN INDICATION AS TO WHERE THEY ARE TO BE PROCESSED. CHAIRMAN HOOD SAID THAT THIS PROBLEM HAS BEEN GOING ON FOR 12 MONTHS AND HE DID NOT UNDERSTAND THE URGENCY TO DO SOMETHING BEFORE MEETING WITH THE MUNICIPALITIES AND HE SAID THE COUNTY WOULD BE SENDING THE WRONG MESSAGE TO THE MUNICIPALITIES IF THEY ACTED ON THIS ORDINANCE. MR. FULGHUM SAID HARDEEVILLE IS STILL OBLIGATED, BUT THE PROJECTS HAVE FEES INVOLVED AND THEY REQUIRE HOURS AND HOURS OF WORK AND A FURTHER DELAY WILL COMPLICATE THINGS AND IF THE MUNICIPALITIES DO THE ZONING DETERMINATION THEY DON'T WANT TO SEND THE APPLICATIONS DOWN THE PATH. VICE CHAIRMAN JONES SAID THAT THE PROJECT SHOULD NOT CHANGE AND THE PERSON WHO STARTED THE PROJECT WILL FINISH IT. CHAIRMAN HOOD SAID AN EMERGENCY MEETING COULD BE HELD IF SOMETHING WENT WRONG AND HE FELT THEY SHOULD WAIT TO GET THINGS STRAIGHT WITH THE MUNICIPALITIES. CHAIRMAN HOOD SAID THERE IS A PROBLEM SOMEWHERE AND IT IS CAUSING A LOT OF CONFUSION. COUNCILMAN TUTEN AGREED THAT THERE IS A PROBLEM AND NOW WAS THE TIME TO SOLVE IT. CHAIRMAN HOOD ASKED COUNCILMAN TUTEN HOW THIS ORDINANCE WILL SOLVE IT WITHOUT COMMUNICATING WITH THE MUNICIPALITIES. COUNCILMAN TUTEN SAID IF THIS IS DELAYED IT COULD SET THINGS BACK EIGHT WEEKS. VICE CHAIRMAN JONES SAID THAT IF THE COUNCIL HAD THE 1ST READING TONIGHT, THE ORDINANCE CAN BE REVISED AND IT WILL BE TWO WEEKS SOONER THAT THE PERMITS CAN COME TO JASPER COUNTY. COUNCILMAN BLACKSHEAR MADE A SUBSTITUTE MOTION AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE AMENDING THE ZONING ORDINANCE TO RESCIND CEDED PLANNING AND ZONING AUTHORITY TO THE MUNICIPALITIES SO THAT THINGS CAN MOVE FORWARD. THE SUBSTITUTE MOTION WAS CARRIED WITH COUNCILMEN TUTEN, TYLER AND BLACKSHEAR AND VICE CHAIRMAN JONES VOTING FOR; CHAIRMAN HOOD VOTED AGAINST BECAUSE IF PROBLEMS ARISE IN THE FUTURE THEY WILL BE HELD ACCOUNTABLE.

OLD BUSINESS:

ANDREW FULGHUM – REPORT ON PROCEEDS FROM PREVIOUS SURPLUS SALES:

MR. FULGHUM UPDATED THE COUNCIL ON THE PREVIOUS SALE OF COUNTY SURPLUS PROPERTY. MR. FULGHUM SAID THE SURPLUS PROPERTY SOLD IN 2006 ON WWW.GOVDEALS.COM AMOUNTED TO \$54,000.00

COUNCILMAN TUTEN – UPDATE ON EXPENSES FOR DJJ OFFICE:

COUNCILMAN TUTEN SAID THE ENGINEERING COMMITTEE MET WITH MR. BONEPARTE, MR. FULGHUM AND MR. TERRY AND DISCUSSED THE NEW OFFICE SPACE FOR DJJ. COUNCILMAN TUTEN SAID THAT THEY ARE WAITING FOR THE FIGURES FROM MR. BONEPARTE AND WILL MAKE A RECOMMENDATION TO THE COUNCIL WHEN THEY RECEIVE THOSE FIGURES.

APPROVAL OF THE WATSON TATE SAVORY ARCHITECTS, INC. CONTRACT FOR THE COURTHOUSE RENOVATIONS:

MR. FULGHUM ASKED THE COUNCIL TO APPROVE THE CONTRACT FOR WATSON, TATE, SAVORY ARCHITECTS IN THE AMOUNT OF \$262,000.00. MR. FULGHUM SAID THAT THIS COVERS PHASE II SERVICES AS DISCRIBED FOR THE COURTHOUSE

RENOVATIONS. MR. FULGHUM SAID THE COUNTY ATTORNEY REVIEWED THE CONTRACT AND MADE SOME CHANGES. COUNCILMAN TUTEN MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE WATSON, TATE, SAVORY ARCHITECTS, INC. IN THE AMOUNT OF \$262,000.00 FOR PHASE II SERVICES. THIS IS TO BE PAID FOR THE COURTHOUSE RENOVATION BUDGET WHICH IS FUNDED FROM VARIOUS ACCOUNTS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

NEW BUSINESS:

APPROVAL OF THE ECS SOUTHEAST, LLC CONTRACT FOR ENGINEERING AND SPECIAL INSPECTION SERVICES FOR THE JASPER COUNTY ANNEX BUILDING: MR. FULGHUM SAID THAT THE ARCHITECTS HAVE RECOMMENDED THIS COMPANY TO DO THE INSPECTION WORK ON THE ANNEX BUILDING. THE CONTRACT IS IN THE AMOUNT OF \$13,340.20. MR. FULGHUM SAID THE COUNTY ATTORNEY HAS SOME ISSUES WITH THE CONTRACT AND MR. FULGHUM ASKED THE COUNCIL TO APPROVE THE CONTRACT SUBJECT TO THE ATTORNEY'S REVIEW AND APPROVAL. COUNCILMAN TUTEN QUESTIONED THE ITEM REFERRING TO ARCHITECT CHANGE ORDERS. MR. SAGER SAID THERE IS A PARAGRAPH THAT DISCUSSES MINOR CHANGES ALLOWED TO BE MADE IN THE FIELD. COUNCILMAN TUTEN SAID HE DID NOT WANT ANY CHANGE ORDERS. MR. SAGER SAID ANY OF ITEMS CHANGES WOULD NOT CAUSE THE COUNTY ANY ADDITIONAL CHARGES. MR. FULGHUM SAID THAT THE CONTRACT WAS ALREADY APPROVED. MR. SAGER REFERRED THE COUNCIL TO THE SECTION RELATING TO CHANGES AND THAT THEY WOULD HAVE TO COME BACK FOR THE OWNERS APPROVAL AND THAT ANY OF THE CHANGES SHOULD NOT COST THE COUNTY ANY MORE MONEY AND THEY WOULD NOT CAUSE ANY DELAYS. MR. FULGHUM SAID THAT THE ATTORNEY WILL PREPARE A LETTER TO HAVE HIS SUGGESTED CHANGES MADE TO THE CONTRACT. MR. SAGER SAID THAT THE COUNCIL MUST APPROVE ANY AND ALL CHANGE ORDERS. MR. FULGHUM ASKED THE COUNCIL TO APPROVE THE CONTRACT FOR THE INSPECTION OF THE ANNEX BUILDING IN THE AMOUNT OF \$13340.00, BUT FOR THE ATTORNEY TO REVIEW AND MAKE THE NECESSARY CHANGES. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO APPROVE THE CONTRACT FOR THE INSPECTION OF THE ANNEX BUILDING IN THE AMOUNT OF \$13340.00, BUT FOR THE ATTORNEY TO REVIEW AND MAKE THE NECESSARY CHANGES AND THIS IS TO BE PAID FROM THE ANNEX BUILDING BUDGET WHICH IS FUNDED BY VARIOUS ACCOUNTS. VICE CHAIRMAN JONES ASKED WHAT THIS COVERED AND MR. SAGER SAID IT COVERED SPECIALIZED ENGINEERING INSPECTIONS. VICE CHAIRMAN JONES ASKED IF THIS WAS THE SAME AS THE PROJECT MANAGER AND MR. SAGER SAID THE PROJECT MANAGER WAS THE ONSITE JOB FOREMAN. MR. SAGER DISCUSSED THE VARIOUS TYPES OF INSPECTIONS THE FIRM WOULD CONDUCT THAT WERE DETAILED ENGINEERING WORK AND OCRM REQUIREMENTS. VICE CHAIRMAN JONES SAID THAT JASPER COUNTY WOULD ALSO BE DOING INSPECTIONS. MR. SAGER SAID THAT THE REGULAR BUILDING INSPECTIONS WOULD BE DONE BY HERMAN SMITH FOR THE COUNTY. COUNCILMAN TYLER ASKED WHO FROM THE COUNTY WOULD BE MONITORING THE CONSTRUCTION AND MR. SAGER SAID MR. HERMAN SMITH WOULD HANDLE THAT. CHAIRMAN HOOD ASKED WHY THE COUNTY NEEDED THIS FIRM TO DO INSPECTIONS. MR. SAGER SAID THEY DEAL WITH VERY SPECIFIC ENGINEERING. CHAIRMAN HOOD SAID THAT EVERYTHING HAS TO BE BUILT TO CODE AND WHY WOULDN'T SMITH JUST HANDLE EVERYTHING. MR. SAGER SAID THAT WHAT THIS COMPANY DOES IS ABOVE CODE ENFORCEMENT. VICE CHAIRMAN JONES ASKED IF ATM COULD DO THIS AND MR. SAGER SAID THE CONTRACT IS FOR VERY SPECIFIC ENGINEERING TESTING. MR. FULGHUM SAID THAT MR. MALPHRUS WENT THROUGH THE SAME THING WHEN THE DETENTION CENTER WAS BUILT. MR. MALPHRUS SAID THIS COMPANY WOULD ANALYZE EVERYTHING AND MAKE THE SURE THE MATERIALS ARE MEETING THE REQUIREMENTS. MR. MALPHRUS SAID A CERTIFIED ENGINEER MUST PERFORM THIS TYPE OF INSPECTION. CHAIRMAN HOOD ASKED IF THE CONTRACT WAS PUT OUT TO BID AND MR. SAGER SAID WATSON TATE SAVORY RECOMMENDED THIS FIRM AND HE WAS NOT SURE IF IT WENT OUT FOR BID. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS:

VICE CHAIRMAN JONES SAID SHE ATTENDED A MEETING IN BLUFFTON WITH THE SOUTHERN REGIONAL PLANNING ASSOCIATION AND THE SPEAKER ENCOURAGED THAT THE COUNTIES IN THE AREA WORKED TOGETHER. VICE CHAIRMAN JONES SAID SHE ALSO ATTENDED THE LEGISLATIVE COMMITTEE

MEETING IN CHARLESTON AND THEY DISCUSSED ISSUES THAT WERE GIVEN TO SCAC TO WORK ON NEXT YEAR. VICE CHAIRMAN JONES SAID THERE HAVE BEEN NEGATIVE REPORTS ON THE 15% CAP ON TAXES AND HOW DESTRUCTIVE IT WILL BE IN THE FUTURE FOR THE COUNTIES AS IT WILL NOT BE ENOUGH TO COVER THE COUNTY'S EXPENSES. VICE CHAIRMAN JONES SAID THE STATE HAD A 9% INCREASE IN REVENUES LAST YEAR AND THIS YEAR THEY ARE EXPECTING A 3% INCREASE SO THE COUNTIES NEED TO BE CAREFUL AS THE STATE MAY CUT MORE FUNDS TO THE COUNTY. VICE CHAIRMAN JONES SAID THE STATE MAY BE PUTTING A CAP ON STATE SPENDING, BUT THEY HAVE ALSO CONSIDERING PUTTING CAPS ON COUNTY SPENDING. VICE CHAIRMAN JONES SAID THE SPEAKER ADVISED THE COUNTIES TO WATCH THE LEGISLATURE AS THEY ARE CHIPPING AWAY AT HOME RULE.

COUNCILMAN TUTEN SAID THAT HE HAS FORMED THE COMMITTEE TO WORK ON RECOGNIZING ZENIE INGRAM.

ADMINISTRATORS' REPORT:

MR. FULGHUM SAID THAT 33 OBJECTIVES IN THE 2008 WORK PLAN HAVE BEEN COMPLETED. MR. FULGHUM ALSO REPORTED THAT HE RECEIVED A LETTER FROM MR. STEVE BENNETT EXPRESSING HIS CONCERNS ON THE SHRIMP PONDS. MR. FULGHUM PROVIDED THE COUNCIL WITH A COPY OF THE WORK PLAN AND MR. BENNETT'S LETTER.

VICE CHAIRMAN JONES ASKED THE ADMINISTRATOR ABOUT THE WORK THAT PUBLIC WORKS DID FOR THE SCHOOL DISTRICT. MR. FULGHUM RESPONDED THAT HE WOULD REPORT BACK TO THE COUNCIL HOW MUCH TIME WAS SPENT. VICE CHAIRMAN JONES ASKED ABOUT THE CYPRESS RIDGE MINUTES AND SHE WANTED TO KNOW WHY THE COUNTY WAS PAYING FOR THE LANDSCAPING AT SPEC BUILDING II. VICE CHAIRMAN JONES SAID SHE COULD UNDERSTAND THE COUNTY PAYING FOR THE ENTRANCES AND COMMON AREAS, BUT ACCORDING TO THE COVENANTS, THE PROPERTY OWNER IS TO PAY FOR THEIR LANDSCAPING. VICE CHAIRMAN JONES SAID THE CYPRESS RIDGE REVIEW BOARD DOES NOT HAVE THE AUTHORITY TO AUTHORIZE SPENDING COUNTY FUNDS. MR. FULGHUM SAID THAT THE COUNTY OWNED SPEC BUILDING II AND VICE CHAIRMAN JONES RESPONDED THAT THE DEAL ON SPEC BUILDING II IS JUST LIKE WHEN A BANK HOLDS THE MORTGAGE THE PERSON WHO HAS THE MORTGAGE OWNS THE PROPERTY. MR. SAGER SAID THAT THE COUNTY OWNS THE BUILDING AND THE COUNTY WAS PAYING FOR THE LANDSCAPING AND THE CYPRESS RIDGE REVIEW BOARD ONLY APPROVED THE PLAN. MR. SAGER SAID HE WOULD BE COMING TO COUNCIL FOR APPROVAL AT THE NEXT COUNCIL MEETING. MR. SAGER SAID THE COUNTY WOULD BE PAYING FOR THE ROADS, THE PAVING AND THE LAND PREP. MR. SAGER SAID THE PEOPLE PURCHASING THE BUILDING WOULD NOT BE PAYING. THE COUNTY IS PAYING AND HE MODELED THE DEAL AFTER THE OHIO GRATING DEAL. MR. SAGER SAID HE FELT THE OHIO GRATING DEAL WAS OVERLY GENEROUS.

OPEN THE FLOOR TO THE PUBLIC:

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

MR. WILLIAM YOUNG FROM STRAWBERRY HILL TOLD THE COUNCIL THAT HE SPOKE WITH MS. O'QUINN IN THE ASSESSOR'S OFFICE ABOUT AN APPEAL ON HIS TAXES. MR. YOUNG SAID HE DID THIS IN NOVEMBER, 2006 AND HE HAS STILL NOT HAD HIS APPEAL HEARD. MR. YOUNG SAID THAT HE WAS TOLD HIS HOME WAS ASSESSED AT REPLACEMENT VALUE AND HE WANTED TO KNOW IF EVERYONE WAS ASSESSED THE SAME WAY. MR. YOUNG SAID HE WOULD LIKE TO HAVE HIS APPEAL HEARD. CHAIRMAN HOOD TOLD MR. FULGHUM TO ARRANGE FOR MR. YOUNG TO HAVE HIS APPEAL HEARD.

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

EXECUTIVE SESSION:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS EMPLOYMENT MATTERS AND LEGAL MATTERS CONCERNING NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO REGULAR SESSION:

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

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO SELL 3 ACRES OF LAND FOR \$10,000.00 TO MR. LABEL. ATTORNEY JONES TOLD THE COUNCIL THAT THEY WOULD HAVE TO DO THIS AT THE NEXT MEETING AND THEY WOULD HAVE TO HAVE THE 3RD READING OF THE ORDINANCE AT THAT TIME. VICE CHAIRMAN JONES SAID THAT HOW PAYMENT WAS TO BE MADE WAS NOT DISCUSSED. MR. MALPHRUS SAID IT WAS HIS UNDERSTANDING THAT IT WOULD BE A CASH PAYMENT AT THE CLOSING. MR. FULGHUM SAID THAT EVERYTHING WOULD BE INCLUDED IN THE ORDINANCE AND HE WOULD HAVE IT READY FOR THE NEXT COUNCIL MEETING/
COUNCILMAN BLACKSHEAR WITHDREW HIS MOTION AND COUNCILMAN TUTEN WITHDREW HIS SECOND.

COUNCILMAN TUTEN MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION TO INCREASE THE PRICE OF THE PROPERTY AT THE CYPRESS RIDGE BUSINESS INDUSTRIAL PARK TO \$15,000.00 PER ACRE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT REAL ESTATE AGENTS ARE NOT TO BE INVOLVED IN THE SALE OF COUNTY OWNED PROPERTY. THE MOTION CARRIED WITH COUNCILMAN BLACKSHEAR AND VICE CHAIRMAN JONES VOTING FOR; COUNCILMAN TUTEN VOTED AGAINST; CHAIRMAN HOOD AND COUNCILMAN TYLER DID NOT VOTE.

ADJOURN:

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

THE MEETING ENDED AT 8:10 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN