



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
358 THIRD AVE.
RIDGELAND, SC 29936
APRIL 19, 2010
MINUTES
7:00 P.M.
MEETING**

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. ADMINISTRATIVE SERVICES
JUDITH FRANK, CLERK TO COUNCIL
DAVID JIROUSEK, PLANNING DIRECTOR
WILBUR DALEY, DEP. ADM. ENGINEERING SERVICES
MARVIN JONES, ATTORNEY

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 OFFERED THE INVOCATION.

CHAIRMAN HOOD RECOGNIZED THE STUDENTS FROM THOMAS HEYWARD ACADEMY WHO WERE ATTENDING THE MEETING AND INVITED THEM TO COMMENT DURING THE OPEN FLOOR TO THE PUBLIC PORTION OF THE MEETING.

APPROVAL OF THE MINUTES:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE MINUTES OF THE 4/5/2010 COUNCIL MEETING AND THE 4/7/2010 BUDGET WORKSHOP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATIONS:

CRAIG BROWN – POWER CONNECTS

MR. BROWN ARRIVED LATE AND GAVE HIS PRESENTATION AT THE END OF THE MEETING.

PUBLIC HEARINGS AND ORDINANCES:

DAVID JIROUSEK – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A 650’ DEEP PORTION OF THAT PROPERTY CONSISTING OF APPROXIMATELY 93.2 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 030-00-10-029 AND GENERALLY LOCATED AT THE CORNER OF SC 46 AND SC 170 FROM RURAL PRESERVATION TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP:

MR. JIROUSEK EXPLAINED THAT THERE WERE NO CHANGES TO THE ORDINANCE SINCE THE FIRST READING. MR. JIROUSEK SAID THE OWNERS OF THE PROPERTY, THE JEFFERS, PLAN TO CONSTRUCT A BUILDING FOR THEIR FAMILY BUSINESS AND OVER THE NEXT 10 YEARS EXPAND TO VARIOUS BUSINESSES AND AN OPEN AIR MARKET. COUNCILMAN ETHERIDGE ASKED IF THE PROPERTY EXTENDED TO THE HIGHWAY. MR. JIROUSEK RESPONDED THAT THERE IS A RIGHT OF WAY. 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 SECOND READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A 650’ DEEP PORTION OF THAT PROPERTY CONSISTING OF APPROXIMATELY 93.2 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 030-00-10-029 AND GENERALLY LOCATED AT THE CORNER OF SC 46 AND SC 170 FROM RURAL PRESERVATION TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK –PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO REVISE REGULATIONS RELATING TO NONCONFORMING USES, STRUCTURES, LOTS, AND SITES; TO AMEND ARTICLE 9:3, AS AMENDED, OF THE JASPER COUNTY ZONING ORDINANCE:

MR. JIROUSEK EXPLAINED THAT THE ORDINANCE DEFINES A NON-CONFORMING USE AND THE OBJECTIVE IS TO ELIMINATE NON-CONFORMING USES. MR. JIROUSEK SAID A LIST OF CONDITIONS WOULD NEED TO BE REFERRED TO FOR THIS TYPE OF REQUEST. COUNCILMAN ETHERIDGE ASKED IF A PROPERTY IS CURRENTLY NON-CONFORMING USE AND THE OWNERS SELL OR LEASE THE PROPERTY WITHIN TWELVE MONTHS OF THEIR CLOSING, CAN THE NEW OWNER OR LESSEE CONTINUE TO DO THE SAME IDENTICAL BUSINESS. MR. JIROUSEK SAID THAT THEY CAN, PROVIDING IT IS WITHIN THE 12 MONTH PERIOD. COUNCILMAN GREGORY ASKED ABOUT REQUIREMENTS. MR. JIROUSEK RESPONDED THAT THERE IS A SET LIST ON CONDITIONS THAT HAVE TO BE MET. COUNCILMAN GREGORY ASKED IF THE COUNCIL CAN APPROVE A CHANGE IF THE CONDITIONS ARE NOT MET. MR. JIROUSEK SAID IF THE PROPERTY IS SOLD AND IT IS NOT USED FOR THE IDENTICAL TYPE OF BUSINESS WITHIN 12 MONTHS OF THE SALE OR LEASE, THE PEOPLE WOULD HAVE TO GO BACK AND REQUEST A NON-CONFORMING USE FOR THE PROPERTY. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO REVISE REGULATIONS RELATING TO NONCON-FORMING USES, STRUCTURES, LOTS, AND SITES; TO AMEND ARTICLE 9:3, AS AMENDED, OF THE JASPER COUNTY ZONING ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK- PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 081-00-01-010, 081-00-01-022, 081-00-01-011, 081-00-01-018, 081-00-01-019, 081-00-01-015, 081-00-01-13 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO PLANNED DEVELOPMENT DISTRICT AND TO ADOPT THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT CONCEPT PLAN DOCUMENT AND MAP:

MR. JIROUSEK SAID THAT THE MALPHRUS FAMILY IS REQUESTING THE CHANGE IN ZONING FOR THE PROPERTY LOCATED ACROSS THE ROAD FROM A.C.E., FOR A MIXED USE BUSINESS PARK. MR. JIROUSEK SAID THEY HAVE ADDRESSED ALL THE ISSUES REGARDING TRAFFIC, STORMWATER AND LAND USE. MR. JIROUSEK SAID THE REGULATIONS THAT WILL GOVERN ALL THE DEVELOPMENT WITHIN THE PARK IS COVERED WITHIN THE LOWCOUNTRY COMMERCE PARK PDD. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. ANDREA MALLOY, REPRESENTING THE COASTAL CONSERVATION LEAGUE, SAID SHE WAS PLEASED WITH THE CONDITIONS THAT WERE APPROVED AND THAT JASPER COUNTY IS PUTTING FORTH A SPECIAL EFFORT TO PROTECT THE WATERSHED. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING.

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2ND

READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 081-00-01-010, 081-00-01-022, 081-00-01-011, 081-00-01-018, 081-00-01-019, 081-00-01-015, 081-00-01-13 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO PLANNED DEVELOPMENT DISTRICT AND TO ADOPT THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT CONCEPT PLAN DOCUMENT AND MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND SECTION 20-102 OF THE JASPER COUNTY CODE OF ORDINANCES SO AS TO REQUIRE A MINIMUM OF TWENTY-FIVE ACRES OF HIGHLAND TO BE INCLUDED IN A DEVELOPMENT AGREEMENT AND TO CORRECT TYPOGRAPHICAL AND GRAMMATICAL ERRORS:

MR. JIROUSEK TOLD THE COUNCIL THAT THIS ORDINANCE WOULD LOWER THE REQUIREMENT OF THE NUMBER OF ACRES OF HIGHLAND TO BE CONSISTANT WITH THE STATE REQUIREMENT. COUNCILMAN ETHERIDGE ASKED IF THIS ORDINANCE WOULD AMEND THE COUNTY CODE FOR ALL PROJECTS OR JUST FOR THE LOWCOUNTRY COMMERCE PARK. MR. JIROUSEK SAID IT WOULD AMEND THE COUNTY'S CODE. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND SECTION 20-102 OF THE JASPER COUNTY CODE OF ORDINANCES SO AS TO REQUIRE A MINIMUM OF TWENTY-FIVE ACRES OF HIGHLAND TO BE INCLUDED IN A DEVELOPMENT AGREEMENT AND TO CORRECT TYPOGRAPHICAL AND GRAMMATICAL ERRORS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO ADOPT A DEVELOPMENT AGREEMENT FOR THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT DISTRICT:

MR. JIROUSEK EXPLAINED THAT THE 1ST READING OF THIS ORDINANCE WAS DONE BY TITLE ONLY AND THAT THE ORDINANCE AND THE DEVELOPMENT AGREEMENT WERE BOTH IN THE COUNCIL'S AGENDA PACKET. MR. JIROUSEK TOLD THE COUNCIL THAT STATE LAW AUTHORIZES DEVELOPMENT AGREEMENTS AND IT GIVES THE DEVELOPER VESTED RIGHTS FOR FIVE YEARS. MR. JIROUSEK SAID THE DEVELOPMENT AGREEMENT ALSO GIVES THE COUNTY MORE CERTAINTY OF THE BUILDOUT OF THE LAND. MR. JIROUSEK SAID THE MAIN FOCUSES OF THE DEVELOPMENT AGREEMENT ALLOWS FOR TRANSFER OF DEVELOPMENT RIGHTS, THE COUNTY'S OBLIGATIONS, IMPROVEMENTS ON SITE OR NEAR SITE ROADS AND IT ADDRESSES THE CONVEYANCE OF PARK LAND IF THE RESIDENTIAL USE IS DEVELOPED. MR. JIROUSEK SAID THE FEES ARE STRUCTURED THE SAME AS PREVIOUS DEVELOPMENT AGREEMENTS. MR.

JIROUSEK SAID THE DEVELOPMENT AGREEMENT ALSO PROVIDES FOR INCREASED REGULATIONS REGARDING STORMWATER AND TRAFFIC. COUNCILMAN ETHERIDGE QUESTIONED THE RESIDENTIAL USE. MR. JIROUSEK SAID THEY WERE NOT SURE IF THE RESIDENTIAL USE WILL BE INCLUDED. MR. MAGLIONE SAID THAT IT IS FLEXABLE FOR DIFFERENT TYPES OF LAND USES AND HAS A CAP ON HOW MANY RESIDENTIAL UNITS CAN BE BUILT. MR. MAGLIONE SAID THAT IF NO RESIDENTIAL UNITS ARE BUILT, THE SECTION REGARDING THE PARK IS NOT RELEVANT. COUNCILMAN ETHERIDGE ASKED ABOUT SEC. 3 REGARDING THE COUNTY PAYING THE DEVELOPER \$30,000.00 FOR THE PARK SITE. MR. MAGLIONE SAID THAT IS ONLY IF THE PARK SITE IS DEVELOPED. COUNCILMAN ETHERIDGE ASKED ABOUT THE DEVELOPMENT FEES. MR. MAGLIONE SAID THAT LIKE ALL THE OTHER DEVELOPMENT AGREEMENTS THERE WOULD BE A 3% ADJUSTMENT EACH YEAR. MR. MAGLIONE SAID THE 3% IS SET AS A STANDARD AND INCLUDED IN ALL DEVELOPMENT AGREEMENTS. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. ANDREA MALLOY, COASTAL CONSERVATION LEAGUE REPRESENTATIVE, SAID SHE WAS CONCERNED ABOUT THE MASTER PLAN AND SHE WOULD LIKE TO BE ABLE TO HAVE SOME INPUT REGARDING THE STORMWATER, ROOF TOPS AND PAVEMENT. MS. MALLOY SAID APPROVING THE DEVELOPMENT AGREEMENT WITHOUT THE MASTER PLAN MAKES THEM VERY NERVOUS BECAUSE THINGS ARE TOO GENERAL. MS. MALLOY SAID SHE WOULD LIKE TO SEE THIS SLOWED DOWN. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN ETHERIDGE ASKED IF STORMWATER MANAGEMENT WOULD BE INCLUDED IN THE MASTER PLAN. MR. JIROUSEK SAID THAT THE COUNTY WILL HAVE A STORMWATER MANAGEMENT ORDINANCE AND IT WILL APPLY TO THIS PROJECT. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS IS THE PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO ADOPT A DEVELOPMENT AGREEMENT FOR THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT DISTRICT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM - PUBLIC HEARING AND 3RD READING OF TO AUTHORIZE THE EXTENSION OF A LEASE AGREEMENT TO THE UNITED WAY OF THE LOWCOUNTRY, INC., FOR THE USE OF THAT REAL PROPERTY LOCATED AT 306 THIRD AVENUE IN THE CITY OF RIDGELAND:

MR. FULGHUM TOLD THE COUNCIL THAT THIS ORDINANCE IS TO RENEW THE LEASE WITH THE UNITED WAY OF THE LOWCOUNTRY, INC. MR. FULGHUM SAID THE TERM OF THE LEASE WAS THREE YEARS AND THE COST WAS \$1.00 PER YEAR. MR. FULGHUM SAID THAT TCL WILL CONTINUE TO HOUSE THEIR BUSINESS ADVISORY SERVICES IN THE SAME BUILDING. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3RD READING OF TO AUTHORIZE THE EXTENSION OF A LEASE AGREEMENT TO

THE UNITED WAY OF THE LOWCOUNTY, INC., FOR THE USE OF THAT REAL PROPERTY LOCATED AT 306 THIRD AVENUE IN THE CITY OF RIDGELAND. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS:

ANDREW FULGHUM - RESOLUTION TO RENEW THE EQUAL OPPORTUNITY PLAN:

MR. FULGHUM EXPLAINED THIS IS A RESOLUTION PASSED EACH YEAR AND THE THAT HE HAD THE ATTORNEY ADD THE WORDING THAT THE PLAN WILL CHANGE BASED ON THE 2010 CENSUS. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO PASS THE RESOLUTION TO RENEW THE EQUAL OPPORTUNITY PLAN. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

MILTON WOODS - RESOLUTION SUPPORTING PRESCRIBED BURNING:

KEITH PINEROSE DISCUSSED THE PRESCRIBED BURNING ACT OF 1994 AND TOLD THE COUNCIL THAT THE FORESTRY COMMISSION WOULD LIKE EACH COUNTY TO ADOPT THIS PLAN. COUNCILMAN ETHERIDGE ASKED HOW MANY COUNTIES HAVE ADOPTED THE PLAN AND MR. PINEROSE SAID THAT JASPER COUNTY WOULD BE THE FIRST. COUNCILMAN ETHERIDGE ASKED HOW IMPORTANT WAS IT THAT THE RESOLUTION BE PASSED TONIGHT. MR. PINEROSE SAID THAT IF THE COUNCIL WANTED TO WAIT AND DISCUSS THE PLAN, IT COULD BE PASSED AT ANOTHER MEETING. COUNCILMAN GREGORY ASKED IF THIS WOULD ONLY EFFECT JASPER COUNTY AND MR. PINEROSE SAID THIS RESOLUTION WOULD ONLY AFFECT JASPER COUNTY. MR. PINEROSE THANKED MILTON WOODS FOR HIS HELP. VICE CHAIRMAN BLACKSHEAR COMMENTED THAT THIS RESOLUTION DEALS WITH SAFETY ISSUES AND THE COUNTY DOES SUPPORT PRESCIBED BURNING. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO PASS THE RESOLUTION SUPPORTING PRESCRIBED BURNING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

OLD BUSINESS:

THERE WAS NO OLD BUSINESS.

APPOINTMENT OF ONE MEMBER TO THE NEW LIFE CENTER BOARD:

THIS ITEM WAS TABLED UNTIL THE NEXT MEETING.

APPOINTMENT OF TWO MEMBERS TO THE LIBRARY BOARD:

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPOINT KARINA LOWTHER TO THE LIBRARY BOARD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. CHAIRMAN HOOD ASKED THE COUNCILMEMBER TO RECRUIT ONE MORE PERSON FROM HARDEEVILLE TO SERVE ON THE LIBRARY BOARD. THIS WILL BE PLACED ON THE NEXT MEETING AGENDA.

APPOINTMENT OF ONE MEMBER TO THE EMERGENCY SHELTER BOARD:

THIS ITEM WAS TABLED UNTIL THE NEXT MEETING.

APPOINTMENT OF TWO MEMBERS TO THE BOARD OF ZONING APPEALS:

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPOINT RANDY WAITE AND JEFF RICHARDSON TO THE BOARD OF ZONING APPEALS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

NEW BUSINESS:

RONNIE MALPHRUS – APPROVAL OF OPEN TOP CONTAINERS BID:

MR. MALPHRUS PRESENTED THE BIDS FOR THE OPEN CONTAINERS AND ASKED THE COUNCIL TO APPROVE THE LOW BID FROM RUDCO SOUTH FOR \$16,329.60. COUNCILMAN GREGORY ASKED HOW THEY WOULD BE PAID FOR AND MR. MALPHRUS SAID THAT THEY WERE INCLUDED IN THE BUDGET. COUNCILMAN GREGORY ASKED IF THE COUNTY HAS PURCHASED THE CONTAINERS FROM THIS COMPANY IN THE PAST. MR. MALPHRUS SAID THEY HAVE NOT; THEY WERE USUALLY PURCHASED FROM BAKER WASTE. COUNCILMAN GREGORY ASKED IF THEY WERE NEEDED NOW. MR. MALPHRUS SAID THAT THEY WERE BEING PURCHASED TO REPLACE OTHERS THAT ARE NO LONGER USABLE. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE BID FROM RUDCO SOUTH IN THE AMOUNT OF \$16,329.60 AND THE CONTAINERS WOULD BE PAID FOR FROM THE FUNDS THAT WERE INCLUDED IN THE BUDGET FOR NEW OPEN TOP CONTAINERS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RONNIE MALPHRUS – APPROVAL OF AUDIT CONTRACT BID:

MR. MALPHRUS SAID THAT THEY ADVERTISED FOR A PROPOSAL FOR THE AUDIT CONTRACT. MR. MALPHRUS EXPLAINED THAT THEY RECEIVED TWO RESPONSES AND THE LOW BID WAS FROM FORD AND CROWLEY. MR. MALPHRUS ASKED THE COUNCIL TO APPROVE THE BID FROM BAIRD AND COMPANY, WHICH WAS \$800.00 HIGHER, BUT THEY HAVE DONE THE AUDIT FOR THE PAST FOUR YEARS AND THEY KNOW THE COUNTY'S PROCEDURE. CHAIRMAN HOOD ASKED IF THE OTHER COMPANY CAME UP TO PAR AND CAN PRODUCE THE AUDIT. MR. MALPHRUS SAID THAT EVERY COMPANY HANDLES FINANCIAL STATEMENTS DIFFERENTLY AND HAVE DIFFERENT PROCEDURES. MR. MALPHRUS SAID THAT BAIRD AND COMPANY HAS BEEN DOING THE AUDIT FOR PAST FOUR YEARS. CHAIRMAN HOOD ASKED IF APPROVING THE HIGHER BID COMPLIES WITH THE COUNTY'S PROCUREMENT POLICY. COUNCILMAN TYLER ASKED THE LENGTH OF THE CONTRACT. MR. MALPHRUS RESPONDED THAT THE CONTRACT WAS FOR THREE YEARS. COUNCILMAN ETHERIDGE ASKED IN APPROVING BAIRD AND COMPANY'S BID ADHERES TO THE COUNTY PROCUREMENT POLICY. MR. MALPHRUS SAID THEY WERE NOT OBLIGATED TO ACCEPT THE LOW BID WHEN A PROPOSAL IS REQUESTED. MR. MALPHRUS SAID WITH AN

ADVERTISEMENT FOR PROPOSAL, YOU CAN SELECT THE FIRM WHO YOU THINK IS BEST AND CAN TAKE IN ALL THE FACTORS THAT YOU CANNOT DO WITH A STRAIGHT BID. COUNCILMAN GREGORY ASKED IF MR. MALPHRUS WAS HAPPY WITH BAIRD AND COMPANY AND MR. MALPHRUS SAID THAT HE WAS. MR. MALPHRUS SAID THAT FORD AND CROWLEY HAS DONE AUDITS FOR A LOT OF MUNICIPALITIES, BUT HE WAS NOT FAMILIAR WITH THEM. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE BID OF BAIRD AND COMPANY AND THAT MR. MALPHRUS WAS TO TRY AND NEGOTIATE THE \$800.00 DIFFERENCE. THE MOTION CARRIED WITH VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN GREGOR AND TYLER VOTING FOR; CHAIRMAN HOOD AND COUNCILMAN ETHERIDGE VOTED AGAINST.

CRAIG BROWN – POWER CONNECTS:

MR. BROWN, CEO OF POWER CONNECTS, EXPLAINED THAT HIS COMPANY DOES PRE-EMPLOYMENT TRAINING SO THAT WHEN AN INDIVIDUAL IS HIRED THEY ARE PREPARED FOR THE POSITION. MR. BROWN SAID THAT HE DEVELOPS TRAINING MATERIAL AND THAT HE WAS TRYING TO TAP INTO THE WORKFORCE INVESTMENT ACT FUNDING IN THIS AREA TO HELP THE PEOPLE IN JASPER COUNTY. MR. BROWN SAID HE HAS BEEN TRAINING PEOPLE AND DEVELOPING TRAINING PROGRAMS SINCE 1989. MR. BROWN SAID HE HAD AN APPOINTMENT WITH CARECORP FOR ORGANIZING OVER 2,000 JOBS. COUNCILMAN GREGORY ASKED ABOUT A FEE. MR. BROWN SAID THAT HE WOULD BE PAID FROM WORKFORCE INVESTMENT ACT GRANT FUNDS FROM THE FEDERAL SIMULUS FUNDS. MR. BROWN SAID THAT LCOG RECEIVES THESE FUNDS AND HE WAS ASKING FOR THE COUNTY'S SUPPORT. COUNCILMAN GREGORY ASKED ABOUT STAFF AND MR. BROWN SAID HE HAD 10 PEOPLE WORKING FOR HIM THAT RECEIVE A W-2 FORM AND ABOUT 25 PEOPLE WORKING FOR HIM THAT GET A 1099 FORM. MR. BROWN SAID THAT THEY ACCOMMODATE PEOPLE LOOKING FOR EMPLOYMENT AND BUSINESSES LOOKING FOR EMPLOYEES. MR. BROWN SAID HE IS PART OF A SMALL BUSINESS HUB IN HARDEEVILLE. MR. BROWN SAID HIS COMPANY ALSO DOES BUSINESS EXPANSION PLANS AND MARKETING STRATEGIES. CHAIRMAN HOOD SAID HE WOULD LIKE TO REVIEW MATERIAL ABOUT MR. BROWN'S COMPANY SO THAT HE COULD UNDERSTAND WHAT THE COMPANY OFFERS. MR. BROWN SAID THAT HE WAS WORKING WITH SEMBLER TO GET PEOPLE READY FOR THOSE JOBS AND HE IS WATCHING THE ECONOMY AND WHERE THE HEALTHCARE BILL IS GOING. MR. BROWN SAID HE FELT THE NEW HEALTH BILL IS GOING TO REQUIRE EDUCATING THE POPULATION ABOUT WHAT PEOPLE CAN DO. MR. BROWN SAID HE WAS CURRENTLY WORKING WITH JACKSON INSURANCE TO GROW THE BUSINESS. MR. BROWN SAID THAT THE OWNER OF JACKSON INSURANCE IS LOOKING TO HAVING 100 NEW AGENTS PER STATE. CHAIRMAN HOOD THANKED MR. BROWN FOR HIS PRESENTATION AND ASKED THAT THE INFORMATION BE SENT TO THE CLERK TO COUNCIL SO THAT SHE CAN PROVIDE IT TO ALL THE COUNCIL MEMBERS.

COMMITTEE REPORTS:

CHAIRMAN HOOD REMINDED THE CITIZENS TO SEND IN THEIR CENSUS FORMS. CHAIRMAN HOOD EXPLAINED THAT OVER A 10 YEAR PERIOD THE COUNTY WOULD LOSE \$12,000.00 FROM THE FEDERAL GOVERNMENT FOR EACH PERSON WHO IS NOT COUNTED.

CHAIRMAN HOOD ASKED THE CLERK TO COUNCIL TO MAKE COPIES OF LETTERS HE RECEIVED FROM CHILDREN REGARDING THE LIBRARY AND GIVE A COPY OF THE LETTERS TO EACH COUNCIL MEMBER.

CHAIRMAN HOOD DISCUSSED THE IMPACT OF THE STATE CUTTING FUNDS TO THE COUNTY AND HE ASKED THE CITIZENS TO CALL THEIR REPRESENTATIVE AND SENATOR IN COLUMBIA AND LET THEM KNOW HOW YOU FEEL.

COUNCILMAN GREGORY REPORTED ON THE ENGINEERING SERVICES REQUEST TO THE TRANSPORTATION COMMITTEE FOR FUNDING. COUNCILMAN GREGORY INFORMED THE COUNCIL THAT THEY SHARED THE INFORMATION REGARDING PAVING ROAD IN JASPER COUNTY. COUNCILMAN GREGORY SAID THAT THEY ARE GOING BACK TO THE TRANSPORTATION COMMITTEE AND EXPLAIN THAT THEY DO NOT HAVE TO DO ANYTHING EXCEPT FUND THE PAVING PROJECTS AND THE COUNTY WILL HANDLE EVERYTHING ELSE. COUNCILMAN GREGORY SAID THEY MET WITH THE DENIS CORP. WHO HAS DONE PAVING OF COUNTY ROADS TO COUNTY SPECS IN OTHER COUNTIES IN SOUTH CAROLINA AND THE OTHER COUNTIES ARE VERY HAPPY WITH THE RESULTS.

CHAIRMAN HOOD ANNOUNCED THAT THE BUDGET WORKSHOP ON APRIL 21, 2010 WAS CANCELLED. CHAIRMAN HOOD SAID THAT HE AND MR. FULGHUM WILL BE ATTENDING A LCOG AFFORDABLE HOUSING MEETING. CHAIRMAN HOOD SAID THE CLERK TO COUNCIL HAS RESCHEDULED ALL THE INDIVIDUALS THAT WERE TO MAKE A PRESENTATION TO ANOTHER DATE AND TIME.

ADMINISTRATOR'S REPORT:

MR. FULGHUM PRESENTED THE UNEMPLOYMENT FIGURES FOR JASPER COUNTY AND THE SURROUNDING COUNTIES. MR. FULGHUM SAID THAT CURRENTLY THE JASPER COUNTY UNEMPLOYMENT RATE IS 9.7% AND THAT IN MARCH, 2009 IT WAS 10.2% AND IN 2008 IT WAS 2.6%.

MR. FULGHUM SAID THE CLERK TO COUNCIL HAS BEEN PROVIDING HIM WITH A LIST OF THINGS TO FOLLOW UP ON AND HE WILL PROVIDE THE COUNCIL WITH AN UPDATE IN LETTER FORM AND REMOVE THE ITEMS AS THEY ARE COMPLETED.

MR. FULGHUM TOLD THE COUNCIL THAT DHEC HAS HIRED A CONSULTANT TO CHECK IF CLELAND'S ONE STOP ON HWY. 17 HAS HAD PETROLEUM RELEASED FROM A TANK. MR. FULGHUM SAID THAT DHEC WAS AWARDED STIMULUS FUNDS AND THEY NEED TO PERFORM A FIELD INVESTIGATION AND MONITOR THE WELLS AT THE FARMERS' MARKET, AT NO COST TO THE COUNTY. MR. FULGHUM SAID THAT DHEC INVESTIGATORS WOULD NEED ACCESS FOR FIVE YEARS. MR. FULGHUM ASKED FOR THAT HE BE AUTHORIZED TO SIGN DOCUMENTS GIVING DHEC INVESTIGATORS ACCESS TO THE FARMERS' MARKET PROPERTY TO MONITOR THE WELLS.

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO AUTHORIZE THE ADMINISTRATOR TO SIGN DOCUMENTS GIVING DHEC INSPECTORS ACCESS TO THE FARMERS' MARKET TO MONITOR THE WELLS FOR FIVE YEARS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

MR. FULGHUM SAID THAT SEVERAL EMPLOYEES TOOK PART IN THE HEART WALK AND THEY RAISED \$1,600.00. MR. FULGHUM SAID THAT MR. MALPHRUS'S TEAM RAISED THE MOST MONEY; THEY RAISED \$1,500.00.

MR. FULGHUM SAID THE MARITIME COMMISSION IS MEETING ON APRIL 28, 2010 AT 1:00 P.M. IN COLUMBIA. MR. FULGHUM SAID HE WOULD PROVIDE THE COUNCIL WITH COPIES OF THE AGENDA.

MR. FULGHUM INFORMED THE COUNCIL THAT THE HAMPTON COUNTY INVITED THE COUNCIL TO THEIR ECONOMIC DEVELOPMENT MEETING.

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

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

DOUG GRAHAM SAID THAT ON FEB 8, 2010 THEY APPLIED FOR A BUILDING PERMIT FOR A HUB FIRE STATION IN BELLINGER HILL. MR. GRAHAM INVITED THE COUNCIL AND PUBLIC TO AN OPEN HOUSE ON APRIL 24, 2010 AT 2:00 P.M. AT THE NEWLY COMPLETED BELLINGER HILL HUB FIRE STATION.

EXECUTIVE SESSION:

DISCUSSION OF MATTERS RELATING TO THE 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 REGARDING 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 WHOSE RECORDS ARE SUBMITTED FOR USE AT THE HEARING:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO THE 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 AND DISCUSSION REGARDING 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 WHOSE RECORDS ARE SUBMITTED FOR USE AT THE HEARING. 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 CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD REPORTED THAT THE COUNCIL DISCUSSED THE EXPANSION OF AN INDUSTRY AND NO ACTION WAS NEEDED. CHAIRMAN HOOD SAID THAT THE ADMINISTRATOR WAS AUTHORIZED TO MOVE FORWARD AND TO DO WHAT WAS NECESSARY AS DISCUSSED.

CHAIRMAN HOOD SAID THAT THE COUNCIL RECEIVED INFORMATION REGARDING LEGAL MATTERS AND NO ACTION WAS NEEDED AND THAT THE ATTORNEY SHOULD PROCEED AS DISCUSSED.

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO AUTHORIZE HIRING 3 PEOPLE FOR THE 3 VACANT POSITIONS DISCUSSED. 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 10:00 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN