



**JASPER COUNTY COUNCIL**

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**JASPER COUNTY GOVERNMENT BUILDING  
COUNCIL CHAMBERS  
COUNCIL MEETING/BUDGET WORKSHOP  
MAY 20, 2009  
2:30 P.M.**

**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  
WILBUR DALEY, DEP. ADM. EMG. SERVICES  
WENDY KELLY, DEP. ADM. DEV. SERVICES  
JUDITH FRANK, CLERK TO COUNCIL  
MARVIN JONES, ATTORNEY  
DAVID JIROUSEK, PLANNING DIRECTOR

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/BUDGET WORKSHOP TO ORDER AT 2:30 P.M.

**PLEDGE OF ALLEGIANCE:**

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

**INVOCATION:**

VICE CHAIRMAN BLACKSHEAR GAVE THE INVOCATION.

**ORDINANCES:**

**ANDREW FULGHUM -1<sup>ST</sup> READING OF AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 09-09 AUTHORISING THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ACQUISITION, CONSTRUCTION, EQUIPPING, USE, LEASING,**

**AND RENOVATION OF CERTAIN COUNTY FACILITIES; APPROVING THE ISSUANCE OF ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION INSTALLMENT PURCHASE REVENUE BONDS, CERTIFICATES OF PARTICIPATION AND BOND ANTICIPATION NOTES; CONSENTING TO THE FORM OF TRUST AGREEMENTS BETWEEN ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION AND THE CORPORATE TRUSTEE; THE LEASE OF EQUIPMENT AND VEHICLES AND CERTAIN REAL PROPERTY AND THE BUILDINGS AND OTHER SITE IMPROVEMENTS LOCATED THERE ON BY JASPER COUNTY, SOUTH CAROLINA TO ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION, INCLUDING AUTHORISING THE EXECUTION AND DELIVERY OF A BASE LEASE AGREEMENT, BETWEEN JASPER COUNTY AND ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION; AUTHORISING THE EXECUTION AND DELIVERY OF A PUBLIC FACILITIES AND OCCUPANCY AGREEMENT BETWEEN JASPER COUNTY AND ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN JASPER COUNTY AND ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION; AND OTHER MATTERS RELATING THERETO:**

MR. FULGHUM EXPLAINED THAT THIS ORDINANCE DEALS WITH THE REFINANCING THAT THE COUNCIL HAS DISCUSSED DURING THE BUDGET WORKSHOPS. RONNIE MALPHRUS EXPLAINED THAT THIS WAS TO REFINANCE THE LONG TERM DEBT, MR. MALPHRUS SAID THAT A BAN FOR THE BOND ANTICIPATION NOTE FOR THE ANNEX AND COURTHOUSE RENOVATION HAVE TO BE RENEWED AND THIS NEW ORDINANCE AMENDS THE ORDINANCE FOR THE BAN AND ADDS AN ADDITIONAL \$2,500,000.00 TO PAY OFF THE LONG TERM NOTES AND WHEN THEY DO THE PERMANENT BOND, THEY WILL DO A SEPARATE ISSUE FOR \$2,500,000.00 AND THE COUNCIL WILL DECIDE HOW LONG THEY WANT TO DO IT FOR. COUNCILMAN ETHERIDGE ASKED IF IT HAD ANYTHING TO DO WITH THE \$18,000,000.00 BOND AND MR. MALPHRUS EXPLAINED THAT IT DOES WITH THE EXISTING BAN THAT IS FOR A PORTION OF THE \$18,000,000.00. MR. MALPHRUS SAID THAT A BAN FOR \$8,500,000.00 NEEDED TO BE RENEWED AND THE AMOUNT WAS GOING TO CHANGE TO ADD AN ADDITIONAL \$2,500,000.00. MR. MALPHRUS SAID THAT OTHER FINANCING IS IN PLACE FOR THE \$18,000,000.00. COUNCILMAN ETHERIDGE SAID THE BAN WAS FOR \$8,500,000.00 NOW AND GOING TO ADD \$2,500,000.00 FOR A TOTAL OF \$10,500,000.00. MR. MALPHRUS SAID THAT THE \$2,500,000.00 WAS GOING TO BE ADDED TO THE \$18,000,000.00 FOR A TOTAL OF \$20,500,000.00. MR. MALPHRUS SAID THE LEASE RATE IS 5.255 AND THE BOND RATE IS LESS THAN 2%. COUNCILMAN ETHERIDGE ASKED IF THAT RATE WAS LOCKED IN AND MR. FULGHUM RESPONDED THAT THE RATE IS

LOCKED IN, BUT THEY WILL NOT KNOW THE ACTUAL RATE UNTIL THE BONDS ARE ISSUED. COUNCILMAN ETHERIDGE ASKED WHAT WAS THE \$2,500,000.00 GOING TO PAY FOR AND MR. MALPHRUS SAID IT WOULD PAY FOR THE AMBULANCES, FIRE TRUCKS, RADIO TOWER, GRANT MATCH AND ANYTHING THAT IS FINANCED OVER ONE YEAR. COUNCILMAN ETHERIDGE ASKED IF THERE WILL BE A SEPARATE BOND ISSUED FROM THE SAME BONDING COMPANY AND WOULD THERE BE A PAYMENT DUE IN THE 2010-2011 BUDGET. MR. MALPHRUS SAID IT WOULD BE THE SAME BONDING COMPANY, BUT A DIFFERENT ISSUE. COUNCILMAN TYLER ASKED IF THERE WERE OTHER THINGS THE COUNTY WAS GOING TO NEED AND SHOULD THEY BE ADDED TO THE BOND. MR. MALPHRUS RESPONDED THAT HE WAS NOT AWARE OF ANYTHING. MR. MALPHRUS SAID THAT NO EQUIPMENT IN THE CURRENT BUDGET WILL BE FINANCED. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE FIRST READING OF THE 1<sup>ST</sup> READING OF AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 09-09 AUTHORISING THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ACQUISITION, CONSTRUCTION, EQUIPPING, USE, LEASING, AND RENOVATION OF CERTAIN COUNTY FACILITIES; APPROVING THE ISSUANCE OF ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION INSTALLMENT PURCHASE REVENUE BONDS, CERTIFICATES OF PARTICIPATION AND BOND ANTICIPATION NOTES; CONSENTING TO THE FORM OF TRUST AGREEMENTS BETWEEN ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION AND THE CORPORATE TRUSTEE; THE LEASE OF EQUIPMENT AND VEHICLES AND CERTAIN REAL PROPERTY AND THE BUILDINGS AND OTHER SITE IMPROVEMENTS LOCATED THERE ON BY JASPER COUNTY, SOUTH CAROLINA TO ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION, INCLUDING AUTHORISING THE EXECUTION AND DELIVERY OF A BASE LEASE AGREEMENT, BETWEEN JASPER COUNTY AND ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION; AUTHORISING THE EXECUTION AND DELIVERY OF A PUBLIC FACILITIES AND OCCUPANCY AGREEMENT BETWEEN JASPER COUNTY AND ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN JASPER COUNTY AND ST. PETERS PARISH/JASPER COUNTY PUBLIC FACILITIES CORPORATION; AND OTHER MATTERS RELATING THERETO. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS:**

**ANDREW FULGHUM - RESOLUTION TO AUTHORIZE THE JASPER COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS IN CONNECTION WITH THE ACCEPTANCE OF CERTAIN GRANTS, AWARDS, AND BENEFITS:**

MR. FULGHUM EXPLAINED THAT THE ATTORNEY DRAFTED THE RESOLUTION FOR THE COUNCIL TO SANCTION HOW GRANTS ARE APPLIED FOR AND ACCEPTED. MARVIN JONES TOLD THE COUNCIL THAT THE RESOLUTION AUTHORIZES THE ADMINISTRATOR TO SIGN APPLICATIONS FOR GRANTS, AWARDS AND BENEFITS SO LONG AS THERE IS NO MATCH OR A MATCH THAT HAS BEEN APPROVED IN THE BUDGET. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO PASS THE RESOLUTION TO AUTHORIZE THE JASPER COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS IN CONNECTION WITH THE ACCEPTANCE OF CERTAIN GRANTS, AWARDS, AND BENEFITS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**OLD BUSINESS:**

**ANDREW FULGHUM- PERRY HOUSE – DISCUSSION OF RENOVATION AND LEASE:**

MR. FULGHUM STATED THAT THE COUNCIL APPROVED THE USE OF THE PERRY HOUSE AND AT THE LAST MEETING AN ESTIMATE WAS PROVIDED FOR THE RENOVATIONS REQUESTED BY THE CHAMBER OF COMMERCE AND THE HISTORICAL SOCIETY. MR. FULGHUM ASKED THAT THE COUNCIL APPROVE THE USE OF A-TAX FUNDS NOT TO EXCEED \$12,000.00 FOR THE RENOVATIONS. MR. FULGHUM SAID THAT SINCE THE BUILDING IS OWNED BY THE COUNTY, THE STAFF WOULD PUT THE RENOVATION OUT TO BID. MR. FULGHUM SAID THAT BOTH THE CHAMBER OF COMMERCE AND THE HISTORICAL SOCIETY WILL NEED ASSISTANCE FROM THE COUNTY WITH THE MOVE ITSELF. VICE CHAIRMAN BLACKSHEAR ASKED IF THE FUNDS FOR THE RENOVATION CAN COME FROM THE A-TAX FUND AND MR. MALPHRUS SAID THAT IT COULD BECAUSE THEY ARE TOURIST RELATED. COUNCILMAN ETHERIDGE ASKED IF THE A-TAX FUNDS COULD BE USED FOR PAVING THE PARKING LOT SO THAT THE C-FUNDS COULD BE USED FOR ANOTHER PARKING AREA. MR FULGHUM SAID HE ASKED FOR THE C-FUND FOR THE PERRY HOUSE PARKING LOT AND HE WAS NOT SURE THEY COULD DO THAT AND THE C-FUNDS HAVE ALREADY BEEN APPROVED. MR. MALPHRUS SAID THAT THERE WAS ENOUGH A-TAX MONEY TO DO THE PAVING, BUT SINCE LOWCOUNTY TOURISM HAS ALREADY BEEN APPROVED FOR \$100,000.00, THE A-TAX FUND WILL BE VERY LOW. MR. FULGHUM ASKED WHAT WOULD HAPPEN IF THE BUILDING WAS NO LONGER USED BY THE CHAMBER AND A-TAX FUNDS WERE USED FOR THE PARKING LOT. MR. MALPHRUS SAID THAT C-FUNDS CAN BE USED TO BENEFIT THE PUBLIC AND A-TAX FUNDS CAN BE USED FOR TOURISM. COUNCILMAN ETHERIDGE ASKED ABOUT THE LEASE. MR. FULGHUM SAID THAT IF THE LEASE IS APPROVED AND A-TAX FUNDS ARE APPROVED FOR THE RENOVATION THEN THE STAFF WILL PUT TOGETHER A LEASE AGREEMENT. COUNCILMAN ETHERIDGE SAID HE FELT A-TAX MONEY SHOULD BE USED TO PAVE THE PARKING LOT. VICE CHAIRMAN BLACKSHEAR ASKED WHY THEY COULD

NOT DISCUSS THE LEASE NOW. MR. FULGHUM SAID HE DID NOT WANT TO PUT THE EFFORT INTO DOING A LEASE IF THE COUNCIL WAS NOT GOING TO APPROVE THE USE. VICE CHAIRMAN BLACKSHEAR SAID ASSUMING THE LEASE WOULD BE APPROVED, WHAT THE LEASE WOULD CONTAIN. MR. FULGHUM SAID THAT THE CHAMBER HAS ASKED TO USE THE PERRY HOUSE RENT FREE AND THAT THE COUNTY PAY THE UTILITIES. CHAIRMAN HOOD ASKED IF THE UTILITIES COULD BE PAID FOR WITH A-TAX FUNDS. MR. MALPHRUS SAID THEY COULD NOT. MR. FULGHUM SAID THAT THE COUNCIL WOULD BE RESPONSIBLE FOR THE AIR CONDITIONING AND THE LEASE WOULD ADDRESS HOW THE OTHER RESPONSIBILITIES COULD BE HANDLED. COUNCILMAN GREGORY ASKED IF THE CHAMBER IS GOING TO BE HOUSED IN THE PERRY HOUSE AND NOT PAY ANY RENT AND THE COUNTY WILL PAY FOR EVERYTHING. CHAIRMAN HOOD SAID IF THERE IS NO MONEY INVOLVED, WHY DELAY THINGS. MR. FULGHUM ASKED IF THE COUNCIL WANTED TO SEE THE LEASE AGREEMENT. CHAIRMAN HOOD SAID YES THE COUNCIL WOULD NEED TO SEE AND APPROVE THE LEASE AGREEMENT. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE UP TO \$12,000.00 OF A-TAX FUNDS FOR RENOVATIONS AT THE PERRY HOUSE AND THAT THE COUNTY STAFF IS TO ADVERTISE FOR BIDS FOR THE RENOVATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

#### **NEW BUSINESS:**

#### **WILBUR DALEY - APPROVAL OF USE OF SALE TAX FUNDS FOR THE REPAIRS AT THE JASPER COUNTY DETENTION CENTER:**

MR DALEY REVIEWED THE REPAIRS THAT WERE NEEDED AT THE DETENTION CENTER. MR. DALEY SAID THE TOTAL FOR THE REPAIRS WAS \$19,275.65 AND THE REPAIRS COULD BE PAID FOR WITH THE ONE CENT SALES TAX THAT WAS COLLECTED FOR THE CONSTRUCTION OF THE DETENTION CENTER. MR. DALEY SAID THAT THE DETENTION CENTER HAS BEEN USED 24 HOURS A DAY, 7 DAYS A WEEK, 365 DAYS PER YEAR FOR THE 5 YEARS AND THINGS ARE WORN OUT. COUNCILMAN TYLER ASKED WHO OWNED THE DETENTION CENTER AND MR. DALEY RESPONDED THAT THE COUNTY OWNED THE DETENTION CENTER. COUNCILMAN GREGORY SUGGESTED THAT MR. DALEY CONTACT MR. SEABROOK REGARDING THE SECURITY SYSTEM. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE REQUEST FOR \$19,275.65 FOR THE REPAIRS AT THE DETENTION CENTER AND THAT THEY ARE PAID FOR FROM THE ONE CENT SALES TAX COLLECTED FOR THE CONSTRUCTION OF THE DETENTION CENTER. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

#### **BUDGET WORKSHOP:**

MR. MALPHRUS PRESENTED AN OVERVIEW AND SAID HE MADE THE CHANGES AND INCLUDED THE ADMINISTRATOR'S RECOMMENDATIONS THAT WERE DISCUSSED. MR. MALPHRUS SAID THAT AS IT STANDS NOW, THE BUDGET IS STILL SHORT \$826,000.00 WITHOUT ANY PERSONNEL DECISIONS. MR. MALPHRUS SAID THAT THE ATTORNEY RESEARCHED THE FIRE DISTRICTS AND HE SPOKE WITH SCAC AND IT WAS THEIR OPINION THAT IF THEY DO THE FIRE DISTRICTS AT ALL, IT WOULD COUNT TOWARDS THE MILLAGE LIMITATION AND WILL HURT THE COUNTY. MR. MALPHRUS ADDED THAT IN LIGHT OF THAT INFORMATION, HE PULLED THE FIRE DISTRICT MONEY OUT, HOWEVER, THEY STILL WANTED TO CONTINUE TO CREATE THE DISTRICTS, BUT NO FEES WILL BE COLLECTED. MR. FULGHUM COMMENTED THAT THE FEES CAN BE LOOKED AT NEXT YEAR. COUNCILMAN GREGORY ASKED WHY THE PERSONNEL CHANGES THAT WERE A DIRECTIVE FROM COUNCIL WERE NOT INCLUDED. MR. MALPHRUS SAID THEY UPDATED THEIR LIST AND WANT A FINAL GO THROUGH BEFORE MAKING THE CHANGES. COUNCILMAN GREGORY SAID HE FELT THE FIGURES SHOULD HAVE BEEN INCLUDED AND IT BOTHERS HIM THAT THE COUNCIL ASKED THE ADMINISTRATION TO DO SOMETHING AND IT WAS NOT DONE AND THE ADMINISTRATION DID WHAT THEY WANTED TO DO AND NOT WHAT THE COUNCIL TOLD THEM TO DO. COUNCILMAN GREGORY SAID THE COUNCIL MADE A DECISION AND THE ADMINISTRATION IS PUTTING IN WHAT THEY WANT AND NOT WHAT THE COUNCIL TOLD THEM. MR. MALPHRUS SAID HE DID HAVE THE NUMBERS.

**OPEN THE FLOOR TO THE PUBLIC:**

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

MS. GABBARD, JARM, SAID SHE HAD A COPY OF THE WORKSHEET AND SHE NOTICED THAT A FEW OF THE AGENCIES THAT RECEIVE APPROPRIATIONS HAVE NOT USED ANY OF THE MONEY IN THIS YEAR'S BUDGET AND THEY ARE STILL GETTING MONEY IN THE NEW BUDGET. MS. GABBARD ASKED IF THEY DID NOT USE IT THIS YEAR, WHY GIVE IT AGAIN. MS. GABBARD TOLD THE COUNCIL THAT JARM INCREASED THE ADOPTION FEES \$10.00 AND IF THE FEES ARE INCREASED AGAIN, THERE WILL NOT BE AS MANY ADOPTIONS. MS. GABBARD SAID THAT JARM STARTED OUT AS AN ADVISORY GROUP AND THEN THEY TOOK OVER THE SHELTER AND WERE DOING A COUNTY FUNCTION. MS. GABBARD TOLD THE COUNCIL SHE NEEDED WHAT SHE REQUESTED.

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

**EXECUTIVE SESSION:**

**EMPLOYMENT MATTERS:**

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS

EMPLOYMENT MATTERS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RETURN FROM EXECUTIVE SESSION:**

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

COUNCILMAN TYLER MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO INCLUDE \$275,000.00 IN THE EMERGENCY SERVICES BUDGET FOR THE LEVY FIRE SERVICE DISTRICT AND TO ADD TWO FIRE FIGHTERS POSITIONS THAT ARE TO BE PAID FROM THE \$275,000.00. THE MOTION CARRIED WITH CHAIRMAN HOOD AND COUNCILMEN GREGORY AND TYLER VOTING FOR; VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN ETHERIDGE VOTED AGAINST.

CHAIRMAN HOOD DIRECTED THE ADMINISTRATOR TO SET UP A MEETING WITH THE DELEGATION, BOTH THE SENATOR AND THE REPRESENTATIVE, AT THE NEXT BUDGET WORKSHOP, IF POSSIBLE.

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THE ADMINISTRATOR NOT ACCEPT THE POSITION OF SPOKESMAN FOR THE UNITED WAY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ADJOURN:**

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN THE MEETING/BUDGET WORKSHOP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING/BUDGET WORKSHOP ENDED AT 5:25 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