



JASPER COUNTY COUNCIL

JASPER COUNTY GOVERNMENT BUILDING
COUNCIL CHAMBERS
COUNCIL MEETING
AUGUST 17, 2009
7:00 P. M.

MINUTES

PRESENT:

DR. GEORGE M. HOOD, CHAIRMAN
LEROY BLACKSHEAR, VICE CHAIRMAN
HENRY ETHERIDGE, COUNCILMAN
REV. SAMUEL GREGORY, COUNCILMAN
HUBERT TYLER, COUNCILMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
WILBUR DALEY, DEP. ADM. EMERGENCY SERVICES
MARVIN JONES, ATTORNEY
JUDITH FRANK, CLERK TO COUNCIL
STEVEN MALPHRUS, DEP. DIRECTOR ES
DAVID JIROUSEK, PLANNING DIRECTOR
SUSAN WAITE, ASSESSOR
PATSYE GREENE, ROD
HERMAN SMITH, BUILDING DIRECTOR
LISA LAMB, PLANNING AND ZONING COORDINATOR

STAFF ABSENT:

RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES
DALE TERRY, DEP. ADM. ENG. 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 7:00 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 TYLER SECONDED THE MOTION TO APPROVE THE MINUTES OF THE JULY 20, 2009 COUNCIL MEETING AND TO ACCEPT THE COMMITTEE MEETING MINUTES OF JULY 13, 2009 AND JULY 14, 2009 FOR INFORMATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PRESENTATIONS AND PROCLAMATIONS:

THERE WERE NO PRESENTATIONS OR PROCLAMATIONS.

PUBLIC HEARINGS AND ORDINANCES:

STEVEN MALPHRUS - 3RD READING OF THE ORDINANCE AUTHORIZING A PROPERTY TRANSFER FOR A NEW COMMUNICATION TOWER:

MR. MALPHRUS EXPLAINED THAT THERE WERE NO CHANGES TO THE ORDINANCE SINCE THE LAST READING. MR. MALPHRUS SAID THE PROPERTY THE COUNTY WAS SWAPPING WAS GIVEN TO THE COUNTY BY OKEETEE PLANTATION AND THE COUNTY WAS GOING TO SWAP THE ORIGINAL LAND FOR LAND IN A NEW LOCATION FOR A NEW COMMUNICATION TOWER. MR. MALPHRUS SAID EQUAL AMOUNTS OF PROPERTY WERE BEING SWAPPED.

COUNCILMAN ETHERIDGE MOTIONED AND TYLER SECONDED THE MOTION THAT THIS BE THE 3RD READING OF THE ORDINANCE AUTHORIZING A PROPERTY TRANSFER FOR A NEW COMMUNICATION TOWER. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE REGARDING THE PERRY HOUSE LEASE:

MR. FULGHUM INFORMED THE COUNCIL THAT THE DEVELOPMENT SERVICES COMMITTEE MET AND REVIEWED THE LEASE AND HE ASKED THAT THE 2ND READING OF THE ORDINANCE REGARDING THE PERRY HOUSE LEASE BE TABLED UNTIL THE ATTORNEY CAN REVIEW THE RECOMMENDATIONS OF THE DEVELOPMENT SERVICES COMMITTEE. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING.

ANDREW FULGHUM – PUBLIC HEARING AND 1ST READING OF AN ORDINANCE APPROVING ORGANIZATIONAL REPORTING AFTER REDUCTION IN FORCE:

MR. FULGHUM SAID THAT SINCE THE ORIGINAL ORGANIZATIONAL CHART WAS DONE BY ORDINANCE, AN ORDINANCE IS NEEDED TO AMEND THE CHART TO REFLECT THE STAFF REPORTING REQUIREMENTS. CHAIRMAN HOOD ASKED ABOUT THE BROKEN LINE ON THE CHART FROM COUNTY COUNCIL TO THE APPOINTED OFFICIALS AND BOARDS AND COMMISSIONS.

VICE CHAIRMAN BLACKSHEAR RESPONDED THAT THE COUNCIL DOES NOT HAVE ANY DIRECT AUTHORITY OVER THOSE DEPARTMENTS, THEY ONLY PROVIDE OFFICES AND APPROVE THE BUDGET REQUESTS. VICE CHAIRMAN BLACKSHEAR SAID THAT A BROKEN LINE MEANS NO AUTHORITY OR CONNECTION WHILE A SOLID LINE MEANS THAT IS UNDER THE COUNCIL'S AUTHORITY EITHER DIRECTLY OR THROUGH THE ADMINISTRATOR. 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 1ST READING OF AN ORDINANCE APPROVING ORGANIZATIONAL REPORTING AFTER REDUCTION IN FORCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING ACCESSORY STRUCTURES:

MR. JIROUSEK TOLD THE COUNCIL THAT THIS ORDINANCE ALLOWS THE COUNCIL TO REGULATE ACCESSORY STRUCTURES. MR. JIROUSEK ADDED THAT THE ORDINANCE ESTABLISHES THE STANDARDS TO REGULATE HEIGHT, SPACE BETWEEN STRUCTURES, AND PLACEMENT OUTSIDE OF REQUIRED SETBACKS AND BUFFERS FOR THE VARIOUS DISTRICTS. MR. JIROUSEK TOLD THE COUNCIL THAT THE ORDINANCE INCLUDED HUNT CAMPS, AND RURAL ACCESSORY DWELLING UNITS. COUNCILMAN ETHERIDGE ASKED IF THE 75 FOOT SETBACK ONLY PERTAINED TO THE FRONT AND MR. JIROUSEK SAID THAT WAS CORRECT. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. HUBERT PINCKNEY ASKED WHAT WAS CONSIDERED AN ACCESSORY BUILDING. MR. JIROUSEK RESPONDED THAT A BARN, STORAGE SHED OR ANY STRUCTURE THAT WAS SUBORDINATE TO THE MAIN STRUCTURE. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING ACCESSORY STRUCTURES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

MARVIN JONES – 1ST READING OF THE ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 09-13 ADOPTED BY THE COUNTY COUNCIL OF JASPER COUNTY, SOUTH CAROLINA ON JUNE 15, 2009; TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL AND BUSINESS PARK IN CONJUNCTION WITH BEAUFORT COUNTY AND/OR HAMPTON COUNTY, SUCH INDUSTRIAL AND BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN JASPER COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE SOUTH CAROLINA CODE OF LAWS 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH BEAUFORT COUNTY AND/OR HAMPTON COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION

OF FEES IN LIEU OF AD VALOREM TAXES TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND TO PERMIT A USER FEE IN LIEU OF AD VALOREM TAXATION:

COUNCILMAN ETHERIDGE QUESTIONED THE AMOUNT OF MONEY THAT WOULD BE GOING TO THE ECONOMIC ALLIANCE. MR. JONES SAID THE DISTRIBUTION OF FUNDS WAS THE SAME AS THE PREVIOUS ORDINANCE WHICH WAS 45% FOR THE COUNTY, 45% FOR THE ALLIANCE AND 10% FOR THE SCHOOLS. COUNCILMAN ETHERIDGE PROVIDED THE ATTORNEY WITH A COPY OF THE APPROVED ORDINANCE WHICH SHOWED THE DISTRIBUTION OF FUNDS AS BEING 42% FOR THE COUNTY, 42 % FOR THE SCHOOLS AND 16% FOR THE ALLIANCE. COUNCILMAN ETHERIDGE SAID THAT HE STILL FELT THAT 16% WAS TOO MUCH. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO TABLE THIS ORDINANCE UNTIL THE INFORMATION IS RESEARCHED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK - 1ST READING OF AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 072-00-01- 040 AND 037-00-03-009 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO THE RESOURCE EXTRACTION ZONE:

MR. JIROUSEK PRESENTED THE ORDINANCE AND PRESENTED COUNCIL WITH PICTURES AND A MAP OF THE LOCATION OF THE PROPERTY. MR. JIROUSEK TOLD THE COUNCIL THAT THE PROPERTY WAS 268 ACRES AND THAT ALL THE SETBACKS AND OTHER REQUIREMENTS HAVE BEEN MET, AND THE PLANNING COMMISSION VOTED 5-0 IN FAVOR OF APPROVING THE CHANGE IN ZONING. VICE CHAIRMAN BLACKSHEAR ASKED IF A TRAFFIC STUDY WAS DONE OR IS THERE ANY GUARRANTEE THAT THE RESIDENCES WILL BE BUILT ONCE THE MINING IS DONE. MR. JIROUSEK RESPONDED THAT THIS ORDINANCE NEEDS TO BE REVIEWED AS IF NOTHING ELSE WILL BE DONE, BUT THE APPLICANT DOES HAVE PLANS FOR A RESIDENTIAL DEVELOPMENT. MR. JIROUSEK SAID THE EXCAVATION ORDINANCE WAS DESIGNED TO ALLOW MINING WHERE IT IS APPROPRIATE, AND THERE ARE REQUIREMENTS AS WHAT NEEDS TO BE DONE AT CLOSURE, AND BONDS NEED TO BE IN PLACE. CHAIRMAN BLACKSHEAR ASKED WHEN DUST IS CONSIDERED A HEALTH HAZARD. MR. JIROUSEK RESPONDED THAT THE CONSTRUCTION ENTRANCE MUST BE MAINTAINED AND THE PROPERTY IS LOCATED ON A BLACKTOP ROAD. COUNCILMAN ETHERIDGE SAID THAT UNDER THE CURRENT ZONING LAWS, THIS PROPERTY COMPLIES, BUT HE WOULD LIKE TO SEE THE MINING AND RESIDENTIAL DEVELOPMENT PRESENTED TOGETHER. COUNCILMAN GREGORY ASKED HOW MANY RESIDENCES ARE BY THE SITE. MR. JIROUSEK SAID THAT THERE ARE 2 DWELLING UNITS ADJACENT TO THE PROPERTY. COUNCILMAN GREGORY ASKED IF THE PUBLIC WAS NOTIFIED. MR. JIROUSEK SAID THAT THERE WILL BE A PUBLIC HEARING, THE LAND WILL BE POSTED AND THE SURROUNDING NEIGHBORS WILL RECEIVE LETTERS. MR. JIROUSEK SAID THAT THIS IS A LONG AND DETAILED PROCESS AND THE FIRST STEP IS TO

GET THE PROPERTY REZONED. COUNCILMAN ETHERIDGE ASKED IF THE PROPERTY MET ALL THE COUNTY'S REQUIREMENTS AND MR. JIROUSEK RESPONDED THAT THERE ARE ITEMS AND ISSUES TO CONSIDER, BUT THE PROPERTY IS CONSISTANT WITH THE COMPREHENSIVE PLAN. MR. JIROUSEK SAID HE RECEIVED THREE EMAILS OPPOSING THE REZONING. MR. JIROUSEK TOLD THE COUNCIL THAT THE PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 1ST READING OF AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 072-00-01- 040 AND 037-00-03-009 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO THE RESOURCE EXTRACTION ZONE. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, AND COUNCILMEN ETHERIDGE AND TYLER VOTING FOR; COUNCILMAN GREGORY VOTED AGAINST.

DAVID JIROUSEK - 1ST READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE TO CONDITIONALLY ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT PER LOT. TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT UNDER CERTAIN CONDITIONS WITHIN JASPER COUNTY; TO AMEND SECTION 6:1 TO ADD SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT AS A CONDITIONAL USE; TO ADD SECTION 6:2.23 SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT; TO AMEND LDR SECTION 8.11, LOTS (E):

MR. JIROUSEK INFORMED THE COUNCIL THAT THIS ORDINANCE WOULD ALLOW PROPERTY OWNERS OF ONE ACRE OR MORE TO HAVE TWO UNITS WITH ADDED GUIDELINES THAT MUST BE FOLLOWED. MR. JIROUSEK ADDED THAT THE PROPERTY WOULD NOT HAVE TO BE SUBDIVIDED, BUT THE TWO UNITS COULD NOT SHARE A SEPTIC TANK. VICE CHAIRMAN BLACKSHEAR ASKED IF PERKING OF THE LAND IS BEING CONSIDERED AND MR. JIROUSEK RESPONDED THAT PERKING THE LAND WILL DETERMINE THE DENSITY. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE TO CONDITIONALLY ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT PER LOT. TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO ALLOW A SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT UNDER CERTAIN CONDITIONS WITHIN JASPER COUNTY; TO AMEND SECTION 6:1 TO ADD SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT AS A CONDITIONAL USE; TO ADD SECTION 6:2.23 SECOND SINGLE FAMILY RESIDENTIAL DWELLING UNIT; TO AMEND LDR SECTION 8.11, LOTS (E). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 1ST READING OF AN ORDINANCE TO AUTHORIZE JASPER COUNTY TO EXCHANGE A 0.29 ACRE TRACT OF LAND WITH THE RICHARD B. BEDELL REVOCABLE TRUST, FOR A 2.97 ACRE TRACT OF LAND IN ORDER TO BENEFIT THE JASPER COUNTY AIRPORT:

MR. JIROUSEK EXPLAINED THAT THE ORDINANCE FOR THE LAND SWAP WOULD BENEFIT THE AIRPORT AND THE FAMILY WILL BENEFIT BY GAINING ACCESS TO FAMILY LAND FOR FUTURE DEVELOPMENT. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 1ST READING OF AN ORDINANCE TO AUTHORIZE JASPER COUNTY TO EXCHANGE A 0.29 ACRE TRACT OF LAND WITH THE RICHARD B. BEDELL REVOCABLE TRUST, FOR A 2.97 ACRE TRACT OF LAND IN ORDER TO BENEFIT THE JASPER COUNTY AIRPORT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

WILBUR DALEY – 1ST READING OF THE ORDINANCE TO PROHIBIT TAMPERING WITH CERTAIN SIGNS AND TRAFFIC CONTROL DEVICES:

MR. DALEY TOLD THE COUNCIL THAT MANY ROAD SIGNS HAVE DISAPPEARED AND HE ASKED THAT THE COUNCIL APPROVE THIS ORDINANCE IN ORDER TO TRY AND STOP THE PROBLEM. MR. DALEY SAID THAT SHERIFF JENKINS AGREES WITH THE ORDINANCE. COUNCILMAN GREGORY COMMENTED THAT HE THOUGHT IT WAS ALREADY AGAINST THE LAW TO TAMPER WITH SIGNS. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO PROHIBIT TAMPERING WITH CERTAIN SIGNS AND TRAFFIC CONTROL DEVICES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS:

ANDREW FULGHUM – RESOLUTION REGARDING THE CENSUS:

MR. FULGHUM EXPLAINED THAT THE RESOLUTION WAS TO CREATE A COMPLETE COUNT COMMITTEE AND HE EXPLAINED THE DUTIES OF THE MEMBERS AND THE TERMINATION OF THE COMMITTEE ONCE THE WORK WAS COMPLETE. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE RESOLUTION ESTABLISHING THE CENSUS COMPLETE COUNT COMMITTEE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DALE TERRY – RESOLUTION CONCERNING THE SALE OF SURPLUS VEHICLES AND EQUIPMENT:

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO PASS THE RESOLUTION APPROVING THE SALE OF SURPLUS VEHICLES AND EQUIPMENT AS PRESENTED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

OLD BUSINESS:

APPOINTMENT OF MEMBERS TO THE EXACT COUNT CENSUS COMMITTEE – 2 MEMBERS PER COUNCIL MEMBER FROM THE DISTRICT THE COUNCIL MEMBER REPRESENTS:

THIS ITEM WAS TABLED UNTIL THE NEXT MEETING.

DR. EARL BOSTICK – MINING OPERATION IN TARBORO:

DR. BOSTICK VOICED CONCERN OVER THE MINING OPERATION IN TARBORO. DR. BOSTICK SAID HE WAS REPRESENTING HIS COMMUNITY AND HE WAS NOT PRESENT AS A MEMBER OF THE PLANNING COMMISSION. DR. BOSTICK SAID HE WANTED THE COUNCIL TO BE AWARE OF WHAT WAS HAPPENING IN THE COMMUNITY WHERE HE LIVED. DR. BOSTICK DISCUSSED THE HISTORY OF THE MINING OPERATION AND HOW IT AFFECTS THE VALUE OF THE SURROUNDING PROPERTY. DR. BOSTICK PRESENTED A VIDEO THAT SHOWED THE PROXIMITY OF THE MINE TO THE SURROUNDING PROPERTIES AND THE COMMUNITY ACTIVITIES CENTER. COUNCILMAN ETHERIDGE ASKED WHAT WAS HAPPENING AT THE MINE NOW. DR. BOSTICK SAID THAT ORIGINALLY THEY THOUGHT THERE WAS A PERMIT FOR THE MINING, BUT NOW THEY HAVE FOUND OUT THEY DO NOT HAVE A PERMIT AND THEY WANT TO MAKE THE MINE WIDER AND DEEPER. DR. BOSTICK SAID THERE WAS A GENERAL MINING PERMIT WITH NO PROCESSING ON THE SITE AND NOW THEY WANT TO DO THAT AND THEY WANT TO GO DOWN ANOTHER 10 FEET. DR. BOSTICK SAID AN INDIVIDUAL PERMIT WOULD ALLOW THEM TO GO WIDER AND DEEPER AND THE COMMUNITY DOES NOT WANT THAT TO HAPPEN. DR. BOSTICK SAID IF THEY GET AN INDIVIDUAL PERMIT THEY WILL BE ABLE TO EXPAND THE OPERATION AND DR. BOSTICK REQUESTED THAT THE COUNCIL LOOK INTO THE MATTER AND ASSIST THE COMMUNITY. DR. BOSTICK SAID THAT HE WOULD BE ATTENDING THE DHEC MEETING. CHAIRMAN HOOD ASKED WHAT AUTHORITY DID THE COUNCIL HAVE AND MR. FULGHUM RESPONDED THAT MR. JIROUSEK HAS DONE A LOT OF WORK ON THIS MATTER. MR. JIROUSEK STATED THAT THE CURRENT PERMIT IS FOR FIVE ACRES. MR. JIROUSEK TOLD THE COUNCIL THAT THE PLANNING AND ZONING DEPARTMENT ISSUED A STOP WORK ORDER ON ALL ACTIVITIES AND THE MINE OWNERS WERE TO PROVIDE EVIDENCE OF APPROVAL IN 2007. MR. JIROUSEK SAID IF THE MINE OWNERS DISAGREE, THEY WILL HAVE TO GO TO THE BZA. COUNCILMAN ETHERIDGE SAID THAT THEY WERE ALREADY ON RECORD THAT THEY OPPOSED EXPANSION OF THE MINE. CHAIRMAN HOOD SAID THAT HE SUPPORTED THE ADMINISTRATION AND THEIR ACTION, HOWEVER, THE COUNCIL CANNOT MAKE A STATEMENT, AND THEY CAN ONLY RESPOND AS A PUBLIC CITIZEN.

MARVIN JONES – REVIEW AND APPROVE SINGLE MEMBER DISTRICT BALLOT FOR FORM AND CONTENT AND APPROVAL OF FEES ASSOCIATED WITH SPECIAL ELECTION:

MR. JONES INFORMED THE COUNCIL THAT MS. BOSTICK PROVIDED HIM WITH THE COST FOR CONDUCTING THE SPECIAL ELECTION. COUNCILMAN GREGORY SAID THE CITIZENS FELT BETTER ABOUT IT BEING A SPECIAL ELECTION. MR. FULGHUM STATED THAT THE FUNDING WAS NOT INCLUDED IN THE BUDGET AND HIS BEST RECOMMENDATION WOULD BE TO PAY FOR IT FROM THE EMERGENCY FUND. COUNCILMAN ETHERIDGE SAID THAT DURING A REGULAR ELECTION, THE STATE HELPS WITH THE FUNDING.

COUNCILMAN GREGORY SAID THAT WAS CORRECT, CHAIRMAN HOOD SAID HE WAS CONCERNED ABOUT SPENDING THE \$19,000.00. VICE CHAIRMAN BLACKSHEAR ASKED IF THERE WOULD BE ANY ADDITIONAL COSTS SUCH AS A FEE FOR TO DRAW THE DISTRICTS. MR. FULGHUM TOLD THE COUNCIL THAT HE SPOKE WITH MR. BOWERS AND MR. BOWERS SAID HE WOULD DO ITS FOR JASPER COUNTY AT NO CHARGE. COUNCILMAN TYLER ASKED IF THE COUNTY WOULD HAVE TO PAY THE \$18,900.00. CHAIRMAN HOOD ANSWERED THE COUNTY WOULD HAVE TO PAY ALL OF IT. COUNCILMAN ETHERIDGE SAID HE WAS CONCERNED ABOUT WHAT KIND OF TURNOUT THERE WOULD BE FOR A SPECIAL ELECTION. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE BALLOT FOR FORM AND CONTENT AND APPROVE THE FEES IN THE AMOUNT OF \$18,900.00 AND THE FEES WOULD BE PAID FROM THE EMERGENCY FUND. THE MOTION CARRIED WITH VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN TYLER AND GREGORY VOTING FOR. CHAIRMAN HOOD AND COUNCILMAN ETHERIDGE VOTED AGAINST.

NEW BUSINESS:

APPOINTMENT OF THREE MEMBERS TO THE LIBRARY BOARD:

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPOINT MARY HUTCHINSON AND KATHLEEN WILSON TO THE LIBRARY BOARD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM- APPROVAL OF BIDS FOR AIRPORT RUNWAY OVERLAY PROJECT:

MR. FULGHUM INFORMED THE COUNCIL THAT DUE TO ONE OF THE BIDDERS NOT RECEIVING ALL THE INFORMATION, THE PROJECT WAS GOING TO BE REBID. MR. FULGHUM SAID THE FAA GRANT IN THE AMOUNT OF \$418,418.00 IS IN PLACE AND NO ACTION WAS NECESSARY. MR. FULGHUM TOLD THE COUNCIL THAT HE WILL BRING THE NEW BIDS FOR THEM TO APPROVE WHEN THEY ARE COMPILED.

ANDREW FULGHUM – REQUEST FROM ROD OFFICE FOR CONTRACT LABOR:

MS. GREENE REQUESTED THAT THEY APPROVE CONTRACT HELP FOR HER OFFICE TO HELP WITH INDEXING. MR. FULGHUM SAID THAT MS. GREENE HAD ONE PART TIME EMPLOYEE WHO WAS AFFECTED BY THE RIF AND THE PERSON WAS TRAINED. MS. GREENE SAID SHE HAD MONEY IN HER BUDGET TO COVER THE COST BECAUSE SHE WAS ABLE TO PAY A MAINTENANCE CONTRACT 6 MONTHS IN ADVANCE OUT OF LAST YEAR'S BUDGET. COUNCILMAN ETHERIDGE COMMENTED THAT HE THOUGHT EVERYONE HAD CUT ANY EXCESS FUND FROM THEIR BUDGET AND ONLY HAVE ENOUGH MONEY TO OPERATE. MR. FULGHUM SAID THAT MS. GREENE WAS SHIFTING HER PRIORITIES. MS. GREENE SAID THERE WAS TALK OF CROSS TRAINING; BUT MOST DEPARTMENTS HAVE BEEN CUT. COUNCILMAN ETHERIDGE QUESTIONED HOW COULD MS. GREENE KNOW SHE HAD EXTRA MONEY IN HER BUDGET AS THEY WERE ONLY ONE MONTH

INTO THE BUDGET. CHAIRMAN HOOD ASKED IF THERE WAS ANY INDICATION OF AN INCREASE IN REVENUE AS HE HAS NOT RECEIVED ANY REPORTS THAT THE MONEY WAS COMING IN ANY BETTER THAN IT DID LAST YEAR. MR. FULGHUM SAID HE WOULD BE PROVIDING THE COUNCIL WITH AN UPDATE AND THE DECISION REGARDING CONTRACT LABOR FOR THE ROD OFFICE DID NOT HAVE TO BE MADE TONIGHT. COUNCILMAN TYLER SAID THAT THEY NEEDED TO MAKE SURE THEY HAD THE FUNDS TO OPERATE THE COUNTY. COUNCILMAN GREGORY COMMENTED THAT SHE HAD THE MONEY IN HER BUDGET, SHE WAS NOT ASKING FOR MORE MONEY. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE CONTRACT LABOR FOR THE ROD OFFICE. THE MOTION CARRIED WITH VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN GREGORY AND TYLER VOTING FOR; CHAIRMAN HOOD AND COUNCILMAN ETHERIDGE VOTED AGAINST.

COMMITTEE REPORTS:

COUNCILMAN GREGORY REPORTED THAT THE ENGINEERING COMMITTEE WENT BEFORE THE TRANSPORTATION COMMITTEE TO DISCUSS ESTABLISHING COUNTY STANDARDS TO PAVE COUNTY ROADS. COUNCILMAN GREGORY STATED THAT ROADS IN THE COUNTY WOULD BE DONE ON A ROTATION BASIS.

VICE CHAIRMAN BLACKSHEAR STATED THAT 4 YEARS AND 8 MONTHS AGO HE REQUESTED THAT TAXPAYERS BE ABLE TO PAY THEIR TAXES ON A MONTHLY BASIS. VICE CHAIRMAN BLACKSHEAR SAID HE HOPED THE ADMINISTRATION HAD SOMETHING IN PLACE BY JANUARY, 2010. CHAIRMAN HOOD TOLD MR. FULGHUM TO FOLLOW UP ON VICE CHAIRMAN BLACKSHEAR'S REQUEST.

COUNCILMAN ETHERIDGE STATED THAT THE COUNCIL NEEDED TO ESTABLISH POLICY ON HOW THE COUNCIL IS TO BE NOTIFIED WHEN IMPORTANT DOCUMENTS COME IN. COUNCILMAN ETHERIDGE SAID HE FELT THE ENTIRE COUNCIL SHOULD HAVE BEEN NOTIFIED IMMEDIATELY ABOUT A LAWSUIT AGAINST THE COUNTY AND THAT THEY SHOULD NOT HAVE HEARD ABOUT IT ON THE STREET. COUNCILMAN ETHERIDGE SAID THE COUNTY COUNCIL WAS NOT NOTIFIED ABOUT THE LAWSUIT UNTIL HE ASKED ABOUT IT. CHAIRMAN HOOD SAID THAT THE COUNCIL SHOULD MAKE A POLICY REGARDING COUNCIL NOTIFICATION.

AMINISTRATOR'S REPORT:

ANDREW FULGHUM – BUILDING DEPARTMENT UPDATE:

MR. JIROUSEK HANDED OUT A LIST OF THE CURRENT PROJECTS AND PDD SUMMARY SHEETS. MR. JIROUSEK SAID THAT JULY WAS THE SLOWEST IT HAS BEEN IN THREE YEARS. MR. JIROUSEK SAID HE EXPECTED THINGS TO SPIKE UPWARD IN AUGUST AND SEPTEMBER. MR. JIROUSEK PROVIDED THE COUNCIL WITH A LIST OF THE ACTIVE PROJECTS. COUNCILMAN ETHERIDGE ASKED IF THERE WAS ANYTHING NEW SINCE JULY 1, 2009 AND MR. JIROUSEK SAID THERE WAS NOT.

ANDREW FULGHUM – UPDATE ON COPS GRANT:

MR. FULGHUM INFORMED THE COUNCIL THAT THE COUNTY APPLIED FOR FOUR OFFICERS AND ONLY TWO WERE APPROVED. MR. FULGHUM SAID HE HAS BEEN WORKING WITH THE SHERIFF AND THE SUPERINTENDENT OF THE SCHOOLS REGARDING PAYMENT OF THE OFFICERS IN THE 4TH YEAR. MR. FULGHUM SAID THE SHERIFF WANTED TO TRANSFER EXPERIENCED DEPUTIES TO THE SCHOOL AND HIRE A NEW PERSON FOR HIS STAFF. MR. FULGHUM SAID THE GRANT ONLY COVERS THE SALARY FOR THE TWO OFFICERS. COUNCILMAN GREGORY ASKED WHERE THE FUNDS FOR BENEFITS, VEHICLES AND UNIFORMS WOULD COME FROM AND MR. FULGHUM TOLD THE COUNCIL HE WAS WORKING ON IT. COUNCILMAN ETHERIDGE ASKED IF ANY OTHER GRANTS HAVE BEEN APPROVED. MR. FULGHUM RESPONDED THAT HE WOULD PROVIDE A MEMO ON THE GRANTS THAT WERE APPLIED FOR; HOWEVER, THE RESULTS HAVE NOT BEEN APPROVED TO DATE.

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

KATHLEEN WILSON SAID THAT SHE CAME TO THE BUILDING ON JULY 20, 2009 AND SHE HAD TO GO AROUND TO THE FRONT OF THE BUILDING TO GET IN AND THEN SHE WENT AND OPENED THE BACK DOOR FOR A HANDICAPPED PERSON. MS. WILSON SAID SHE WORKED WITH HANDICAPPED CHILDREN FOR OVER 35 YEARS AND SHE PROVIDED THE COUNCIL WITH A LIST OF SUGGESTIONS TO MAKE THE NEW GOVERNMENT BUILDING AND THE RENOVATED COURTHOUSE MORE HANDICAP FRIENDLY. CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO LOOK INTO THE SUGGESTIONS.

RICHIE SMALLS REED ADAMENTLY VOICED HER OBJECTION TO USING FUNDS FROM THE EMERGENCY FUND TO PAY FOR THE SPECIAL ELECTIONS. MS. SMALLS ASKED THE COUNCIL TO RECONSIDER USING THE EMERGENCY FUNDS AND SCHEDULE THE ELECTION WHEN IT WAS MORE COST EFFECTIVE.

MS. BETERSON THANKED COUNCILMAN GREGORY FOR HIS REPORT ON THE DIRT ROADS IN JASPER COUNTY. MS. BETERSON SAID HER NEIGHBORHOOD WAS ONE THAT NEEDED TO HAVE THE ROAD PAVED. MS. BETERSON ASKED ABOUT THE LIBRARY BOARD AND WHAT WERE THE DUTIES. CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO PROVIDE MS. BETERSON WITH THE INFORMATION AND HE ASKED MS. BETERSON TO CONTACT THE CLERK TO COUNCIL IF SHE WAS INTERESTED IN SERVING.

MR. PINCKNEY STATED THAT HE WAS PRESENT TO VOICE HIS SUPPORT FOR THE TARBORO COMMUNITY AND HE WAS AGAINST EXPANSION OF THE MINE IN THAT COMMUNITY. MR. PINCKNEY ALSO DISCUSSED SOME HERBICIDE SPRAYING IN THE PINELAND AREA UNDER THE POWERLINES AND HE WANTED TO MAKE SURE THAT MR. FULGHUM WAS AWARE OF IT.

PAM GODWIN SAID SHE WAS A TITLE RESEARCHER AND SHE DID NOT OPPOSE THE COUNTY BRINGING IN CONTRACT LABOR, BUT THE POSITION THE ROD OFFICE WAS IN WAS BECAUSE OF ALL THE ERRORS THAT WERE MADE AND MS. GODWIN ASKED THAT THE COUNCIL MONITOR WHAT WAS BEING DONE IN THAT DEPARTMENT.

JESSE TYSON VOICED HIS CONCERNS ABOUT THE MINE IN TARBORO AND IF IT WENT DEEPER, IT WOULD AFFECT THE WELLS IN THE AREA. LOUISE RAWLING STATED THAT HER ROAD HAS NOT BEEN PLOWED IN SEVERAL MONTHS. MS. RAWLING ALSO THANKED COUNCILMAN GREGORY FOR FOLLOWING UP ON THE ROADS. CHAIRMAN HOOD TOLD THE ADMINISTRATOR TO CONTACT MS. BETERSON AND MS. RAWLINGS WITH THE ROAD MAINTENANCE SCHEDULE. MS. RAWLING SAID THAT HER ROAD ONLY GETS PLOWED WHEN SHE CALLS AND MAKES A REQUEST. CHAIRMAN HOOD TOLD THE ADMINISTRATOR THAT ALL PROPOSED SPENDING NEEDS TO BE BROUGHT TO THE ADMINISTRATIVE COMMITTEE WHICH CONSISTS OF HIMSELF AND COUNCILMAN ETHERIDGE.

EXECUTIVE SESSION:

COUNCILMAN TYLER MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS, EMPLOYMENT MATTERS AND TO DISCUSS 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. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO REGULAR SESSION:

COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO RETURN TO REGULAR SESSION.

CHAIRMAN HOOD REPORTED THAT THE COUNCIL RECEIVED INFORMATION AND NO MOTIONS WERE NECESSARY REGARDING THE LEGAL MATTERS OR THE MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION OR PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY.

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTIONS TO RESCIND HIS PREVIOUS MOTION AND MOTIONED NOT TO APPROVE HIRING CONTRACT LABOR FOR THE REGISTER OF DEEDS OFFICE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURN:

COUNCILMAN TYLER MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 10:25 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK,ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN