

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
JANUARY 2, 2007
4:00 P.M.**

MINUTES

OFFICIALS PRESENT:

DR. GEORGE M. HOOD, CHAIRMAN
GLADYS N. JONES, VICE CHAIRMAN
LEROY BLACKSHEAR, COUNCILMAN
HUBERT TYLER, COUNCILMAN
THOMAS MCCLARY, COUNCILMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, AD. SER. DEP. CTY. ADM.
STEVE SAGER, DEV. SER. DEP. CTY. ADM.
DALE TERRY, ENG. SER. DEP. CTY. ADM.
TOM WATSON, ES, DEP. CTY. ADM.
MARVIN JONES, COUNTY ATTORNEY
JUDITH FRANK, CLERK TO COUNCIL

OFFICIALS ABSENT:

FRED TUTEN, COUNCILMAN

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC AND PRINT MEDIA WERE NOTIFIED

DURING PERIODS OF DISCUSSION AND 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 MCCLARY GAVE THE INVOCATION.

APPROVAL OF THE MINUTES:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN MCCLARY SECONDED THE MOTION TO APPROVE THE MINUTES OF THE DEC. 18, 2006 EXECUTIVE SESSION, COMMITTEE WORKSHOP AND MEETING. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

SPECIAL PRESENTATION TO REV. THOMAS MCCLARY:

CHAIRMAN HOOD PRESENTED REV. MCCLARY WITH A PLAQUE AND THANKED HIM FOR HIS MANY YEARS OF SERVICE AS A JASPER COUNTY COUNCILMAN. MRS. MCCLARY WAS PRESENTED WITH A DOZEN ROSES WHICH SIGNIFIED THE NUMBER OF YEARS REV. MCCLARY SERVED AS COUNCILMAN. COUNCILMAN MCCLARY THANKED THE CITIZENS FOR THEIR SUPPORT AND CONFIDENCE. VICE CHAIRMAN JONES THANKED REV. MCCLARY BECAUSE OF HIM SHE FEELS SHE IS A BETTER COUNCIL PERSON AND COUNCILMAN BLACKSHEAR WISHED HIM A HAPPY RETIREMENT.

JUDGE JOEY MALPHRUS – INSTALLATION OF NEW COUNCIL MEMBERS:

PROBATE JUDGE ISSUED THE OATH OF OFFICE TO THE NEWLY ELECTED MEMBERS OF COUNCIL, DR. GEORGE HOOD, AND HUBERT TYLER.

NOMINATIONS FOR CHAIRMAN:

ADMINISTRATOR FULGHUM ASKED FOR NOMINATIONS FOR CHAIRMAN OF THE COUNTY COUNCIL. COUNCILMAN BLACKSHEAR NOMINATED COUNCILMAN HOOD; COUNCILMAN JONES MOTIONED TO CLOSE THE NOMINATIONS FOR CHAIRMAN. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ELECTION OF CHAIRMAN:

MR. FULGHUM CALLED FOR THE VOTE. COUNCILMAN HOOD WAS ELECTED CHAIRMAN WITH ALL MEMBERS PRESENT VOTING IN FAVOR. CHAIRMAN HOOD THANKED THE COUNCIL MEMBERS FOR THEIR VOTES AND CONFIDENCE AND HE SAID HE WOULD CONTINUE TO WORK HARD AS CHAIRMAN. CHAIRMAN TAKES OVER THE MEETING AT THIS TIME.

NOMINATIONS FOR VICE CHAIRMAN:

CHAIRMAN HOOD CALLED FOR NOMINATIONS FOR VICE CHAIRMAN. COUNCILMAN TYLER NOMINATED COUNCILMAN TUTEN, COUNCILMAN BLACKSHEAR NOMINATED COUNCILWOMAN JONES. COUNCILWOMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO CLOSE THE NOMINATIONS. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ELECTION OF VICE CHAIRMAN:

CHAIRMAN HOOD CALLED FOR VOTES FOR COUNCILMAN TUTEN, COUNCILMAN TYLER VOTED FOR COUNCILMAN TUTEN.
CHAIRMAN HOOD CALLED FOR VOTES FOR COUNCILWOMAN JONES, COUNCILMAN BLACKSHEAR, COUNCILWOMAN JONES AND CHAIRMAN HOOD VOTED FOR COUNCILWOMAN JONES.
COUNCILWOMAN JONES WAS ELECTED VICE CHAIRMAN OF THE JASPER COUNTY COUNCIL.

PROCLAMATIONS AND PRESENTATIONS:

THERE WERE NO PROCLAMATIONS OR PRESENTATIONS.

PUBLIC HEARINGS AND ORDINANCES:

1ST READING OF THE ORDINANCE TO AMEND THE ORDINANCES OF JASPER COUNTY SO AS TO CONTINUE THE MORATORIUM ADOPTED SEPTEMBER 18, 2006 BY ORDINANCE R06-27 ON CERTAIN APPROVALS UNDER THE JASPER COUNTY ZONING ORDINANCE AND LAND DEVELOPMENT REGULATIONS THROUGH JUNE 18, 2007:

MR FULGHUM EXPLAINED THAT THIS ORDINANCE WAS TO EXTEND THE MORATORIUM FROM MARCH 18, 2007 TO JUNE 18, 2007. MR. FULGHUM SAID THAT THE ATTORNEY HAD PREPARED THE ORDINANCE AND IT WOULD COVER EVERYTHING THAT THE CURRENT ORDINANCE COVERS. COUNCILMAN BLACKSHEAR MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE ORDINANCES OF JASPER COUNTY SO AS TO CONTINUE THE MORATORIUM ADOPTED SEPTEMBER 18, 2006 BY ORDINANCE R06-27 ON CERTAIN APPROVALS UNDER THE JASPER COUNTY ZONING ORDINANCE AND LAND DEVELOPMENT REGULATIONS THROUGH JUNE 18, 2007. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

2ND READING OF THE ORDINANCE AUTHORIZING THE AMENDMENT OF THE MASTER PARK AGREEMENT GOVERNING THE MULTI-COUNTY BUSINESS/INDUSTRIAL PARK BY AND BETWEEN JASPER COUNTY, SOUTH CAROLINA AND BEAUFORT COUNTY, SOUTH CAROLINA, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE ALL THOSE PROPERTIES LOCATED IN THE BUSINESS/INDUSTRIAL PARK KNOWN AS BEAUFORT COMMERCE PARK LOCATED IN BEAUFORT COUNTY:

MR. FULGHUM EXPLAINED THAT THIS ORDINANCE WAS TO APPROVE EXTENDING THE BOUNDARIES OF THE PARK TO INCLUDE 210 ACRES THAT WAS REQUESTED BY THE GREATER BEAUFORT COUNTY PARTNERSHIP. MR. FULGHUM SAID JASPER COUNTY WOULD BE PAID 1% OF THE FUNDS GENERATED BY THE PARK. COUNCILMAN TYLER ASKED HOW MUCH WAS IT GOING TO COST JASPER COUNTY. MR. FULGHUM SAID THERE WOULD BE NO COST TO JASPER COUNTY AND THE COUNTY WOULD BENEFIT FROM THE 1% OF THE PARK'S GENERATED FUNDS. COUNCILMAN TYLER ASKED IF JASPER COUNTY RESIDENTS WOULD BE ABLE TO PARTICIPATE IN THE PARK AND WHAT WOULD IT COST THEM. MR FULGHUM SAID THAT WHOEVER WANTED TO PARTICIPATE IN THE PARK WOULD HAVE TO CONTACT THE PARK OWNERS AND THEY WOULD PAY THE SAME AS ANYONE ELSE WHO LOCATED IN THE PARK. VICE CHAIRMAN JONES STATED THAT THE COUNTY ALREADY HAS A PARTNERSHIP AND THIS ORDINANCE IS ONLY TO EXPAND THE BOUNDARIES OF THE PARK. COUNCILMAN TYLER ASKED IF JASPER COUNTY HAD A PARK COULD BEAUFORT COUNTY DRIVE OUT THE LOCAL PEOPLE WHO WANT TO PARTICIPATE IN THE PARK. MR. FULGHUM SAID THAT JASPER COUNTY HAS A MULTI-COUNTY PARK AGREEMENT WITH HAMPTON COUNTY AND HAMPTON COUNTY GETS 1% OF THE FUNDS GENERATED FROM THAT PARK AND BUSINESSES CAN LOCATE IN THE JASPER COUNTY PARK FROM ALL DIFFERENT AREAS. COUNCILMAN TYLER MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION THAT THIS BE THE 2ND READING OF THE ORDINANCE AUTHORIZING THE AMENDMENT OF THE MASTER PARK AGREEMENT GOVERNING THE MULTI-COUNTY BUSINESS/INDUSTRIAL PARK BY AND BETWEEN JASPER COUNTY, SOUTH CAROLINA AND BEAUFORT COUNTY, SOUTH CAROLINA, IN ORDER TO EXPAND THE BOUNDARIES OF THE PARK TO INCLUDE ALL THOSE PROPERTIES LOCATED IN THE BUSINESS/INDUSTRIAL PARK KNOWN AS BEAUFORT COMMERCE PARK LOCATED IN BEAUFORT COUNTY. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS:

THERE WERE NO RESOLUTIONS.

OLD BUSINESS:

THERE WAS NO OLD BUSINESS.

NEW BUSINESS:

JOHNNY DAVIS – PROPOSAL FOR IMPROVEMENTS AT THE SGT. JASPER PARK:

MR. DAVIS EXPLAINED THAT PARK WEST HOMES WERE BUILDING FEE SIMPLE TOWNHOMES WITH 3 TO 5 UNITS PER BUILDING. THIS DEVELOPMENT IS LOCATED IN THE CITY OF HARDEEVILLE, ALONG THE PERIMETER OF THE SGT. JASPER PARK, AND HAS BEEN BEFORE THE HARDEEVILLE PLANNING COMMISSION. THE TOWNHOMES ARE CURRENTLY UNDER CONSTRUCTION. MR. DAVIS SAID THE DEVELOPERS CONTACTED HIM ABOUT PROVIDING A RETAINING WALL ALONG THE POND THAT IS LOCATED IN SGT. JASPER PARK AND ADJOINS THEIR PROPERTY. MR. DAVIS SAID THE DEVELOPER WOULD PAY FOR THE CONSTRUCTION OF THE WALL AND THEY WOULD ALSO BE RESPONSIBLE FOR MAINTAINING THE WALL. VICE CHAIRMAN JONES ASKED FOR THE LOCATION OF THE POND. MR. DAVIS SAID THE POND WAS LOCATED ON THE SAME SIDE OF THE ROAD WHERE THE PARK FACILITIES ARE LOCATED. MR. DAVIS SAID IT IS A LARGE SHALLOW POND AND BY BUILDING THE WALL WOULD ENABLE HIM TO DEEPEN THE POND TO 6FT. – 8FT. THIS IS WHAT IS RECOMMENDED TO HELP ENHANCE THE WILDLIFE IN THE AREA, AS WELL AS THE FISH HABITAT. MR. WEEKS, OF PARK WEST HOMES, SAID THE REASON THEY WANT TO DO THIS IS SO THAT THEY CAN PRESERVE AS MANY TREES AS POSSIBLE. VICE CHAIRMAN JONES SAID THAT SHE FELT THE COUNCIL SHOULD LOOK AT THE PROPERTY BEFORE THEY MADE A DECISION. MR. FULGHUM SAID THE PROJECT WOULD HAVE TO BE APPROVED BY THE HARDEEVILLE JOINT PLANNING COMMISSION AND HE WAS NOT SURE WHERE IT WAS IN THAT PROCESS CURRENTLY. MR. WEEKS SAID THE TOWNHOMES WERE UNDER CONSTRUCTION AND THEY HAVE COMPLETED THE WORK ON THE WATER AND SEWER AND WERE CURRENTLY WORKING ON THE DRAINAGE. MR. WEEKS SAID THEY HOPED TO BE SELLING THE HOMES IN APRIL OR MAY. COUNCILMAN BLACKSHEAR ASKED IF THIS WAS GOING TO BE A RETAINING WALL AND ASKED WHY THE WALL GOES IN AND OUT OF THE PROPERTY LINE. MR. WEEKS SAID THAT THE WALL WAS DONE THAT WAY SO THAT TREES WILL NOT BE DISTURBED AND TO SAVE THE TREES. COUNCILMAN BLACKSHEAR ASKED ABOUT RESTROOMS. MR. WEEKS SAID THEY WERE ASKED TO PUT A RESTROOM FACILITY FOR THE PARK TO USE AND THEY AGREED TO DO THAT DURING THE 2ND PHASE OF DEVELOPMENT. MR. WEEKS SAID THEY WERE IN THE PROCESS OF GETTING A WET WELL IN PLACE AND THIS WOULD ALSO ACCOMMODATE WHAT THE PARK IS PLANNING. COUNCILMAN TYLER SAID THAT THE COUNTY NEEDS TO KNOW WHAT IS BEING DONE. MR. WEEKS SAID THE WALL IS AN OPTION AND THAT CURRENTLY THERE IS ABOUT 3FT.-4FT. OF OVERBURDEN THAT HAS BEEN REMOVED FROM THE POND ON THE DEVELOPERS PROPERTY AND THIS DIRT WOULD BE USED TO FILL IN BEHIND THE WALL. CHAIRMAN HOOD ASKED THE CLERK TO SCHEDULE A TRIP FOR THE COUNCIL TO VISIT THE SITE. NO ACTION WILL BE TAKEN ON THIS ISSUE UNTIL THE COUNCIL VISITS THE SITE AND IS UPDATED AS TO THE DEVELOPMENTS STATUS WITH THE CITY OF HARDEEVILLE. THE CLERK SCHEDULED THE VISIT FOR JANUARY 4, 2007 AT 10:00 A.M.

COMMITTEE REPORTS:

VICE CHAIRMAN JONES SAID SHE ATTENDED A MEETING IN BEAUFORT WITH JOE WILSON AND HE DISCUSSED HIS PLANS. MR. WILSON'S PLANS INCLUDED WORKING ON HOMELAND SECURITY, THE NO CHILD LEFT BEHIND PROGRAM AND THAT HE WOULD SUPPORT THE BUILDING OF A 700 MILE WALL TO HELP WITH ILLEGAL IMMIGRATION.

COUNCILMAN BLACKSHEAR ASKED ATTORNEY JONES FOR AN UPDATE ON THE MCKENZIE TRAILER PARK SITUATION. ATTORNEY JONES SAID THAT HE WILL MEET WITH MR. SAGER, BUT CURRENTLY THERE HAS BEEN NO PROGRESS TO REPORT. CHAIRMAN HOOD HANDED OUT A DRAFT OF THE COUNCIL COMMITTEES AND HE ASKED THE COUNCIL MEMBERS TO SCHEDULE MONTHLY MEETINGS WITH THE DEPARTMENT HEADS SO THAT THEY CAN UPDATE THE REST OF THE COUNCIL. CHAIRMAN HOOD SAID THAT THE PERSONNEL COMMITTEE HAS TWO MEETINGS SCHEDULED FOR JANUARY AND THEY WILL UPDATE THE COUNCIL OF THEIR PROGRESS. CHAIRMAN HOOD ALSO ASKED THE COUNCIL FOR ANY INPUT REGARDING THE COUNCIL'S BUDGET FOR THE 2007-2008 BUDGET YEAR. CHAIRMAN HOOD SAID THAT MR. MALPHRUS HAS SENT THE REQUESTS OUT AND WOULD LIKE TO HAVE THEM BACK BY JANUARY 19, 2007. CHAIRMAN HOOD SAID THAT HE RECEIVED A REQUEST FROM THE ANNIE MAE SIMMONS FOUNDATION FOR

FUNDS AND THAT HE WOULD PASS IT ON MR. MALPHRUS TO BE CONSIDERED IN THE NEXT BUDGET YEAR. CHAIRMAN HOOD DISCUSSED THE EVENTS FOR MARTIN LUTHER KING DAY CELEBRATION AND HE ASKED THE COUNCIL TO LET MRS. FRANK KNOW IF THEY WERE GOING TO ATTEND LOBBY DAY IN COLUMBIA ON JANUARY 23, 2007 SO THAT SHE COULD ARRANGE TRANSPORTATION. CHAIRMAN HOOD ALSO ASKED THE COUNCIL TO LET MRS. FRANK KNOW IF THEY WERE GOING TO ATTEND THE FEBRUARY CONFERENCE IN COLUMBIA.

VICE CHAIRMAN JONES DISCUSSED THE BLUE HERON NATURE CENTER AND THEIR NEW REQUIREMENTS AND FEES. VICE CHAIRMAN JONES SAID THAT THE COUNTY WAS GOING TO HAVE TO PAY \$100.00 TO USE THE CENTER IF THEY NEEDED TO USE IT. VICE CHAIRMAN JONES SAID THAT THE COUNTY NOT ONLY PROVIDES AN APPROPRIATION TO SOIL AND WATER CONSERVATION, THE COUNTY PAYS THE PHONE, UTILITIES AND SALARY AND BENEFITS FOR THE PERSON THAT WORKS THERE. CHAIRMAN HOOD SAID HE WAS AWARE OF THIS BECAUSE WHEN THE CLERK TRIED TO SCHEDULE MEETINGS THERE FOR HIM FOR THE AD HOC COMMITTEE AND THE OVERSIGHT COMMITTEE SHE WAS GIVEN THIS INFORMATION. CHAIRMAN HOOD SAID THAT THE COUNCIL WILL NEED TO REVIEW THIS AND TO TAKE IT INTO CONSIDERATION AT BUDGET TIME. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO SET UP A MEETING WITH THE SOIL AND WATER CONSERVATION BOARD TO DISCUSS THIS MATTER. MR. FULGHUM ASKED CHAIRMAN HOOD IF HE WOULD LIKE TO ATTEND THIS MEETING AND CHAIRMAN HOOD AGREED TO ATTEND THE MEETING WITH THE SOIL AND WATER CONSERVATION BOARD. COUNCILMAN TYLER ASKED IF THESE NEW REQUIREMENTS AND FEES WOULD AFFECT THE SCHOOL SYSTEM. VICE CHAIRMAN JONES SAID THAT AS FAR AS SHE KNEW THE CHILDREN COULD STILL ATTEND THE TRAINING PROGRAMS FOR FREE.

ADMINISTRATORS' REPORTS:

MR. FULGHUM ANNOUNCED THAT SENATOR PINCKNEY CANCELLED THE JAN. 4, 2007 COMMUNITY MEETING.

MR. FULGHUM SAID HE WAS WORKING WITH CHAIRMAN HOOD ON A RETREAT FOR THE COUNCIL.

MR. FULGHUM SAID THAT THE CHAMBER OF COMMERCE WOULD BE HOLDING THE STATE OF THE COUNTY ADDRESS ON JAN. 18, 2007 AT 8:00 A.M. AT A.C.E.

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

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

FREDDY BRANTLEY ASKED THE COUNCIL TO RECONSIDER THEIR DECISION REGARDING THE CLOSING OF THE TRESTLE ROAD. MR. BRANTLEY SAID THAT MANY PEOPLE USE THAT AREA FOR SWIMMING, FISHING AND CRABBING. MR. BRANTLEY SAID THAT HE HAS BEEN THERE AT ALL HOURS OF THE DAY AND NIGHT AND IF DRUGS ARE A PROBLEM THAT IS NO REASON TO CLOSE THE TRESTLE ROAD. MR. BRANTLEY SAID HE DID NOT THINK THE COUNCIL SHOULD DENY THE CITIZENS OF JASPER COUNTY THEIR RIGHT TO USE THAT AREA. MR. BRANTLEY SAID THEY CANNOT FISH, SWIM OR CRAB FROM THE BRIDGE AT KNOWLES ISLAND ANYMORE AND IT IS NOT ACCEPTABLE TO CLOSE THE TRESTLE. MR. BRANTLEY ASKED THE COUNCIL TO PLEASE RECONSIDER THEIR DECISION.

CARRIE FAIR SAID THERE IS STILL MUCH WORK TO BE DONE IN THE COUNTY AND WHEN THE COUNCIL BEGINS TO APPROVE THE DEVELOPMENTS SHE ASKED THEM TO KEEP IN MIND RECREATION AREAS IN ALL PARTS OF THE COUNTY.

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

EXECUTIVE SESSION:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION 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 WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO REGULAR SESSION:

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

CHAIRMAN HOOD REPORTED THAT THE COUNCIL RECEIVED INFORMATION AND DISCUSSED THE LOCATION, BUT NO MOTION OR DECISION WAS NEEDED.

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 5:50 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN