

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
JANUARY 16, 2007
6:00 P.M.**

MINUTES

OFFICIALS PRESENT:

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

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
DALE TERRY, DEP. ADM. ENGINEERING
STEVE SAGER, DEP. ADM. ECO. DEV.
MARVIN JONES, ATTORNEY
JUDITH FRANK, CLERK TO COUNCIL

STAFF ABSENT:

RONNIE MALPHRUS, DEP. ADM. ADM/SER
TOM WATSON, DEP. ADM. ES

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 6:00 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION:

COUNCILMAN TUTEN GAVE THE INVOCATION.

EXECUTIVE SESSION:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED UNDER THE ATTORNEY- CLIENT PRIVILEGE AND TO DISCUSS EMPLOYMENT MATTERS AS AUTHORIZED UNDER THE FREEDOM OF INFORMATION ACT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN FROM EXECUTIVE 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 SAID THE COUNCIL RECEIVED LEGAL ADVICE ON A PENDING CLAIM AND TOLD THE ADMINISTRATOR TO MOVE FORWARD.
CHAIRMAN HOOD AUTHORIZED THE ADMINISTRATOR TO HANDLE THE PERSONNEL MATTERS AND TO REPORT BACK TO COUNCIL.

COUNCIL TOOK A BREAK UNTIL 7:00 P.M.

APPROVAL OF THE MINUTES:

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE MINUTES OF THE JANUARY 2, 2007 COUNCIL MEETING. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PUBIC HEARINGS AND ORDINANCES:

PUBLIC HEARING AND 3RD READING OF THE ORDINANCE AUTHORIZING THE AMENDMENT OF THE MASTER PARK AGREEMENT GOVERNING THE MUTLI-COUNTY BUSINESS PARK 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, SC:

MR .FULGHUM EXPLAINED THAT THIS ORDINANCE IS TO EXTEND THE BOUNDARIES OF THE INDUSTRIAL PARK TO INCLUDE 210 ACRES. MR. FULGHUM SAID THAT

JASPER COUNTY WOULD RECEIVE 1% OF REVENUES GENERATED IN THE PARK, AS SPECIFIED IN THE ORIGINAL AGREEMENT. MR. FULGHUM SAID THAT THE MULTI COUNTY PARK GIVES PEOPLE THE INCENTIVE TO LOCATE INTO THE PARK BECAUSE THEY RECEIVE TAX INCENTIVES. CHAIRMAN HOOD SAID THE AMENDED ORDINANCE DID NOT INCLUDE OR SPECIFY THE AMOUNT JASPER COUNTY WOULD RECEIVE AND ATTORNEY JONES SAID THAT IT WAS IN THE MASTER AGREEMENT AND THAT PART WAS NOT BEING AMENDED, MR. FULGHUM SAID IT IS SPECIFIED IN THE STATE STATUTE. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE 3RD READING OF THE ORDINANCE AUTHORIZING THE AMENDMENT OF THE MASTER PARK AGREEMENT GOVERNING THE MUTLI-COUNTY BUSINESS PARK 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, SC AND TO PASS THE ORDINANCE. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

3RD READING OF THE ORDINANCE TO APPROVE THE COMPREHENSIVE PLAN:
THIS WAS TABLED UNTIL TO A FUTURE MEETING.

3RD READING OF THE ORDINANCE TO APPROVE THE LEASE PURCHASE CONTRACT FOR THE SPEC BUILDING AT CYPRESS RIDGE BUSINESS INDUSTRIAL PARK:

THIS ITEM WAS TABLED UNTIL TO A FUTURE MEETING.

2ND READING OF THE ORDINANCE TO AMEND THE ORDINANCES OF JASPER COUNTY SO AS TO CONTINUE THE MORATORIUM ADOPTED SEPT. 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 SAID THAT THE ORIGINAL MORATORIUM ORDINANCE WILL EXPIRE ON MARCH 18, 2007 AND THIS ORDINANCE WOULD EXTEND THE MORATORIUM UNTIL JUNE 18, 2007. CHAIRMAN HOOD SAID THAT THE PLANNING COMMISSION WAS GOING TO HAVE ANOTHER RETREAT AT PALM KEY TO WORK ON THE ZONING ORDINANCE ON JAN. 26-27, 2007. COUNCILMAN BLACKSHEAR MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION THAT THIS BE THE 2ND READING OF THE ORDINANCE TO AMEND THE ORDINANCES OF JASPER COUNTY SO AS TO CONTINUE THE MORATORIUM ADOPTED SEPT. 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.

1ST READING OF THE JASPER COUNTY EXCAVATION ORDINANCE:

MR. FULGHUM SAID THIS ORDINANCE WAS REFERRED TO COUNCIL BY THE PLANNING COMMISSION. MR. KROASMUN, ATM, EXPLAINED THE ORDINANCE AND THE DIFFERENCES BETWEEN POND EXCAVATION AND LARGE SCALE EXCAVATION. MR. KROASMUN SAID THE STAFF, THE ATTORNEY, AND THE PLANNING COMMISSION ALL WORKED WITH ATM ON THIS ORDINANCE. MR. KROASMUN SAID THE PERMIT CRITERIA, BUFFERING, SET BACKS, WATER CONCERNS AND OTHER REQUIREMENTS WERE COVERED IN THE ORDINANCE. COUNCILMAN TYLER VOICED CONCERN ABOUT THE ADDITIONAL IMPACT ON WATER LEVELS. VICE CHAIRMAN JONES ASKED ABOUT THE BUFFERS AND MR. KROASMUN SAID THE BUFFERS WERE THE SET BACKS FROM THE PROPERTY LINES BEFORE THE EXCAVATION IS STARTED AND BUFFER IS ALSO THE AMOUNT OF REQUIRED VEGETATION. MR. KROASMUN SAID THE SET BACKS ARE 100 FT. FROM THE NEIGHBORING PROPERTY LINE OR RIGHT OF WAY. MR. KROASMUN SAID THAT SCREENING IS ALSO SPECIFIED IN THE ORDINANCE. COUNCILMAN TUTEN SAID HE WAS CONCERNED FOR THE CITIZENS WHO WANTED TO PUT IN FISHING PONDS AND WATERHOLES FOR THEIR LIVESTOCK. MR. STORCK CHAIRMAN OF THE PLANNING COMMISSION SAID HE SHARED THE CONCERN REGARDING THE SMALL ONE ACRE PONDS AND THAT THE PLANNING COMMISSION WORKED HARD SO THAT TYPE OF EXCAVATION WOULD BE EXEMPT. AFTER MUCH DISCUSSION, THE COUNCIL FELT THEY SHOULD HAVE A WORKSHOP TO BETTER UNDERSTAND THE ORDINANCE. COUNCILMAN TUTEN MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO HAVE A WORKSHOP ON THIS ORDINANCE TO GO OVER IT COMPLETELY SO THE PUBLIC WILL KNOW AND UNDERSTAND IT. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILMAN

TYLER SAID HE FELT IT WAS VERY IMPORTANT THAT THIS ORDINANCE WAS DONE RIGHT.

NEW BUSINESS:

RE-APPOINTMENT OF ERIC DEATON TO THE LOW COUNTY WORKFORCE INVESTMENT BOARD:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO RE-APPOINT ERIC DEATON TO THE LOW COUNTY WORKFORCE INVESTMENT BOARD. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

GEORGIA DELOACH – APPROVAL OF NAME CHANGE FOR FOUR ROADS:

MS. DELOACH EXPLAINED THAT ALL THE PROPERTY OWNERS HAD SIGNED THE PETITIONS AND PAID THE FEES. MS. DELOACH SAID THE PEOPLE WOULD PAY FOR THE NEW ROAD SIGNS. COUNCILMAN TUTEN MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE ROAD NAME CHANGES AS FOLLOWS – PREVIOUSLY KNOWN AS 5585 AND 5595 S. OKATIE HWY. TO JAKE REYNOLDS DRIVE, PREVIOUSLY KNOWN AS 734 TILLMAN ROAD LANE OFF OF TILLMAN ROAD TO BE KNOWN AS FIVE BAR L LANE, PREVIOUSLY TILLMAN ROAD FROM 1567 TO 1571 LANE OFF OF TILLMAN ROAD AS SWIFT HORSE LANE, AND PREVIOUSLY KNOWN AS OAKTON HILL DRIVE TO OAK COLONY DRIVE. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS:

VICE CHAIRMAN JONES SAID THE PERSONNEL COMMITTEE MET WITH A COMPANY TO REWORK THE COMPENSATION PLAN AND PAY SCALES. THE OWNER OF THE COMPANY WILL PRESENT THE INFORMATION TO THE ENTIRE COUNCIL AT THE NEXT MEETING.

COUNCILMAN TYLER SAID HE MET WITH THE PEOPLE FROM ROBERTVILLE AND THEY WOULD LIKE TO HAVE THE FIRE STATIONS IN THEIR AREA MANNED. CHAIRMAN HOOD SAID THE FIRE COMMITTEE WAS WORKING WITH MR. WATSON ON THIS MATTER. COUNCILMAN BLACKSHEAR SAID EVERY STATION WAS CHECKED EVERY DAY AND THE STATIONS WERE MANNED ON A ROTATION BASIS. COUNCILMAN TUTEN NAMED THE AREAS WHERE THE STATIONS ARE MANNED AND EXPLAINED THAT THE EMPLOYEES ARE STRATEGICALLY LOCATED SO THAT THEY CAN ACCESS SEVERAL AREAS QUICKLY. CHAIRMAN HOOD ANNOUNCED THE TIME AND LOCATION OF THE ANNUAL STATE OF THE COUNTY ADDRESS AND THAT HE WOULD BE SPEAKING FOR THE BUSINESS LEADERS ON HILTON HEAD. CHAIRMAN HOOD SAID HE WAS ALSO WORKING WITH THE ADMINISTRATOR REGARDING THE COUNCIL'S ANNUAL RETREAT. CHAIRMAN HOOD SAID THE GRANT FUNDING FOR THE FARMERS MARKET HAS TO BE USED BY JUNE 19, 2007 OR IT COULD BE LOST. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO FOLLOW UP AND TRY TO GET IT MOVING. MR. FULGHUM SAID THE HOLD UP HAS BEEN THAT THE ARMY CORP OF ENGINEERS HAS NOT BEEN OUT TO DO THE WETLAND DELINATION AND THE STAFF IS WORKING ON IT. CHAIRMAN HOOD SAID THE COUNCIL'S COMMITTEES HAVE BEEN SET AND THEY WILL MEET MONTHLY. CHAIRMAN HOOD SAID THE CLERK WILL POST THE TIME AND DATES FOR THE MEETINGS AND THE PUBLIC IS INVITED TO ATTEND.

ADMINISTRATORS' REPORTS:

MR. FULGHUM THANKED THE COUNCIL FOR THE WAY THE COMMITTEES WERE STRUCTURED AND HE FELT THIS STRUCTURE WOULD RESULT WITH MORE INFORMATIVE COMMUNICATIONS BETWEEN THE STAFF AND THE COUNCIL.

ANDREW FULGHUM – UPDATE ON THE ZONING ORDINANCE TIMELINE:

MR. FULGHUM PRESENTED A TWO PAGE REPORT FROM MR. SAGER. THE REPORT IS ATTACHED AND MADE PART OF THE MINUTES. THE REPORT EXPLAINED THE STATUS OF THE WORK BEING DONE ON THE ZONING ORDINANCE AND PROJECTS A COMPLETION DATE. MR. SAGER SAID THE DOCUMENT WILL GO TO THE PLANNING COMMISSION BY FRIDAY OF THIS WEEK AND AFTER THE PLANNING COMMISSION RETREAT, HE WILL NEED ONE AND HALF WEEKS TO MAKE THE REVISIONS. MR. FULGHUM ALSO REPORTED ON THE SUGGESTED ITEMS FOR THE DEVELOPMENT AT SGT. JASPER PARK. (THIS INFORMATION IS ATTACHED AND MADE PART OF THE MINUTES.) COUNCILMAN BLACKSHEAR MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION TO HAVE THE STAFF TO PROCEED AND HAVE AN AGREEMENT DRAWN UP BY THE ATTORNEY. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

MR. SAGER PRESENTED A REPORT ON ABANDON MOBILE HOMES AND THE WONDERFUL RESULTS MR. HERMAN SMITH IS HAVING IN GETTING THEM REMOVED.

MR. FULGHUM AND MR. SAGER ANNOUNCED THE CITATIONS FOR THE JUNKYARDS WILL GO OUT THIS WEEK AND HE DID NOT WANT TO NAME THE JUNKYARDS UNTIL AFTER THE CITATIONS WENT OUT. ATTORNEY JONES SAID THAT AS SOON AS THE STAFF HAS COMPLETED THE WORK HE WILL COMPILE AND AMEND THE PLEADINGS AND THIS WALKER LAWSUIT SHOULD BE RESOLVED IN A FEW MONTHS.

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

MR. VERNON WRIGHT EXPRESSED HIS CONCERN THAT THERE IS NO WHERE IN JASPER COUNTY TO GO FISHING, CHAIRMAN HOOD ASKED MR. SAGER TO HAVE MR. DAVIS, DIRECTOR OF PARKS AND RECREATION, PREPARE A LIST OF FISHING LOCATIONS WITHIN THE COUNTY AND PRESENT IT AT THE NEXT COUNCIL MEETING.

FREDDY BRANTLEY COMMENTED ON DIGGING PONDS OF AN ACRE OR LESS AND HE DOESN'T THINK THE COUNTY SHOULD GO OVER WHAT IS ALREADY REQUIRED AND HANDLED BY OTHER AGENCIES. MR. BRANTLEY ASKED THE COUNCIL IF THEY RECONSIDERED THE CLOSING OF THE ROAD TO THE TRESTLE AT KNOWLES ISLAND. CHAIRMAN HOOD SAID NO DECISIONS HAVE BEEN MADE AND THE COUNCIL NEEDED TO HEAR FROM MORE PEOPLE AND THAT THE COUNCIL WAS TRYING TO MAKE THE SITUATION WORK FOR EVERYONE. MR. BRANTLEY SAID HE FELT MORE GRANTS SHOULD BE APPLIED FOR TO FINISH THE LANDING AS PREVIOUSLY PLANNED. CHAIRMAN HOOD ASKED WHAT HOURS DID THE PEOPLE THINK IT SHOULD BE OPEN AND MR. BRANTLEY SAID PEOPLE FISH AND SHRIMP AT ALL HOURS OF THE DAY AND NIGHT BECAUSE OF THE TIDES. MR. BRANTLEY SAID THAT IF THERE ARE DRUG PROBLEMS, THE SHERIFF SHOULD PATROL MORE AND HANDLE THE PROBLEMS. HE SAID YOU DON'T CLOSE A BANK BECAUSE IT WAS ROBBED, YOU ARREST THE ROBBER.

CLIFFORD BRANTLEY, EX-SHERIFF OF JASPER COUNTY, SAID HE PATROLED THE ENTIRE COUNTY WHEN HE WAS SHERIFF AND HE ONLY HAD 4 DEPUTIES AND HE COVERED THE COUNTY 24 HRS. A DAY, EVERY DAY. MR. BRANTLEY SAID HE FELT THE POOR PEOPLE, WHO DO NOT HAVE BOATS, DON'T HAVE ANYPLACE TO FISH AND HE AGREED WITH HIS BROTHER, FREDDY BRANTLEY, THAT THE KNOWLES ISLAND TRESTLE ROAD SHOULD NOT BE CLOSED. CHAIRMAN HOOD SAID THE COUNCIL WOULD WORK ON THIS SITUATION.

AVERY CLELAND, PAST COUNCIL CHAIRMAN, ASKED THE COUNCIL TO MOVE THE MORATORIUM FORWARD AS QUICKLY AS POSSIBLE AS IT WAS COSTING SOME OF THE CITIZENS THEIR JOBS. MR. CLELAND SAID THAT THE COUNCIL NEEDS TO DO EVERYTHING IT CAN TO KEEP JOBS AND ATTRACT MORE JOBS IN THE COUNTY.

ALLEN ULMER, CHAIRMAN OF THE BLUFFTON CONSERVATION DISTRICT, ASKED THE COUNCIL TO CONSIDER THE STATE PERMITTING REQUIREMENTS FOR EXCAVATION. MR. ULMER SAID MANY FARMERS DID PONDS FOR THEIR ANIMALS AND SELL THE DIRT TO OFF SET THE COST OF BUILDING THE PONDS. MR. ULMER SAID THESE PONDS ARE GOOD FOR WATER CONTROL.

MR. VERNON WRIGHT DISCUSSED THE LANDFILL AND HE WAS CONCERNED AS TO WHAT WAS GOING INTO THE GROUND WATER AND ASKED THE COUNCIL TO CHECK INTO THE PROBLEM. MR. FULGHUM SAID THAT THE LANDFILL HAS A NEW MANAGER.

THERE WERE NO OTHER COMMENTS FROM THE PUBLIC. CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

ADJOURN:

COUNCILMAN TUTEN MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 8:35 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN