

**JASPER COUNTY COUNCIL
HARDEEVILLE CITY HALL
COUNCIL CHAMBERS
MAY 7, 2007
4:00 P.M.**

MINUTES

OFFICIALS PRESENT:

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

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADM. SER.
TOM WATSON, DEP. ADM. ES
DALE TERRY, DEP. ADM. ENG. SER.
MARVIN JONES, ATTORNEY
JUDITH M. FRANK, CLERK TO COUNCIL

STAFF ABSENT:

STEVE SAGER, DEP. ADM. DEV. SER.

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 4:00 P.M.

INVOCATION:

COUNCILMAN TUTEN GAVE THE INVOCATION.

APPROVAL OF THE MINUTES:

COUNCILMAN TYLER MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE MINUTES OF APRIL 2, 16, 24, 2007. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATIONS:

BEN ZIEGLER- UPDATE ON SC EMINENT DOMAIN STUDY COMMITTEE:

MR ZIEGLER REPORTED THAT THE COMMITTEE WAS WORKING ON REGULATORY TAKINGS AND EMINENT DOMAIN. THE PURPOSE OF THE COMMITTEE IS TO REVIEW COMDEMNATION AUTHORITY; TO STUDY THE EFFECTS REGULATORY TAKINGS AND GOVERNMENTAL POLICY DECISIONS HAVE UPON PRIVATE PROPERTY VALUES AND THE ABILITY OF PRIVATE PROPERTY OWNERS TO RETAIN THEIR PROPERTY; AND TO CONSIDER IF THE CONSTITUTIONAL AND STATUTORY PROVISIONS CONCERNING CONDEMNATION OF BLIGHTED PROPERTY AND SLUM CLEARANCE AND REDEVELOPMENT NEED REVISION. MR. ZIEGLER SAID THAT THREE ISSUES HAVE SURFACED THAT AFFECT LOCAL GOVERNMENT. THE ISSUES ARE THE ELECTED OVERSIGHT STRICT RULES THAT ELECTED OFFICIALS OVERSEE; CHANGING PROCEDURES FOR ZONING AND PLANNING AND EMINENT DOMAIN AND THE REGULATORY TAKINGS SIDE WHICH MR. ZIEGLER FELT WAS THE MOST CRITICAL. MR. ZIEGLER SAID THERE IS A PROPOSAL TO COME UP WITH A METHOD THAT IS PATTERNED AFTER THE ROLLBACK TAXES THAT WHEN PROPERTY IS DOWN ZONED THE ZONING INSTITUTION SHOULD HAVE TO PAY TAXES BACK TO THE PROPERTY OWNERS IF THEY PAID AT A HIGHER RATE. MR. ZIEGLER FELT THIS WOULD BE VERY HARD FOR COUNTIES TO DO. MR ZIEGLER SAID SENATOR MCCONNELL IS IN CHARGE OF THIS AND HIS OFFICE SHOULD BE CONTACTED IF THE CITIZENS HAD ANY QUESTIONS. MR. ZEIGELR ADDED THAT BY HAVING ZONING IT WILL PREEMPT PLANNING ON A LOCAL LEVEL WHAT IS BEING DONE IN COLUMBIA WHERE THEY ARE TRYING TO TAKE THE POWER FROM THE LOCAL GOVERNMENTS AND PUT IT IN COLUMBIA.

TOM WATSON- HURRICANE UPDATE:

MR. WATSON SAID THAT THERE WERE 17 NAMED HURRICANES AND 5 ARE PROJECTED TO BE CLASS 3. MR. WATSON SAID THAT THE WEATHER SYSTEM THAT PROTECTED THE AREA LAST YEAR IS WEAK AND THE WATERS ARE WARM MAKING THE CHANCE OF A HURRICANE STRONGER.
MR WATSON SAID THERE WAS GOING TO BE AN EARTHQUAKE DRILL ON JUNE 6 AT 9:00 A.M AND INVITED THE COUNCIL TO ATTEND.
COUNCILMAN TUTEN ASKED THAT MR. WATSON PROVIDE THE COUNCIL WITH A SCHEDULE.

PUBLIC HEARING ON THE LAND MANAGEMENT ORDINANCE:

CHAIRMAN HOOD INFORMED THAT PUBLIC OF THE SERIES OF MEETINGS BEING HELD BY THE PLANNING COMMISSION AND THAT THE PLANNING COMMISSION IS CONTINUING TO WORK ON THE ORDINANCE AND THEY ARE MEETING WITH THE CITIZENS FOR THEIR INPUT. TEDD MOYD, PLANNING AND ZONING CO-ORDINATOR, EXPLAINED THE ZONING MAP AND WHAT THE VARIOUS COLORS MEANT. MR. MOYD REVIEWED THE TIME AND PLACE FOR THE PLANNING COMMISSION COMMUNITY MEETINGS. COUNCILMAN TUTEN SAID HE WANTED A MEETING IN GRAYS ON MAY 17, 2007. MR. MOYD SAID HE WOULD DISCUSS IT WITH THE PLANNING COMMISSION. VICE CHAIRMAN JONES ASKED HOW MANY PEOPLE WERE FROM THE LEVY AREA. THE AUDIENCE RAISED THEIR HANDS TO SHOW WHO ATTENED THE PLANNING

COMMISSION MEETING FOR LEVY. VICE CHAIRMAN JONES SAID THAT SHE UNDERSTOOD THEIR FRUSTRATIONS ON THE ISSUES AND THAT THE PLANNING COMMISSION WAS ALSO FRUSTRATED BECAUSE THEY DID NOT HAVE ALL THE ANSWERS FOR THE PUBLIC. MR. MOYD PRESENTED THE MAPS TO THE PUBLIC AND REMINDED THEM THAT THIS WAS ONLY THE FIRST DRAFT OF THE ORDINANCE AND THE OBJECT OF THE COMMUNITY MEETINGS WAS TO GET THEIR INPUT AS TO HOW THEY WANT THEIR COMMUNITY TO LOOK IN THE FUTURE. MR. MOYD SAID THEY WERE NOT TRYING TO TELL THE PEOPLE WHAT WAS GOING TO BE DONE, BUT THEY NEEDED INPUT AS TO WHAT THE CITIZENS WANT THEIR COMMUNITY TO LOOK LIKE IN THE FUTURE.

CHAIRMAN HOOD EXPLAINED THAT HE WAS NOT AT THE MEETING DUE TO SOME HEALTH PROBLEMS HIS WIFE WAS HAVING. COUNCILMAN TYLER ASKED HOW MANY COUNCIL MEMBERS CAN ATTEND THE COMMUNITY MEETINGS AND CHAIRMAN HOOD SAID THEY ALL CAN ATTEND AS LONG AS THE MEETINGS ARE ADVERTISED OR POSTED. KIRK CROASMAN, ATM REPRESENTATIVE, THANKED THE RESIDENTS FOR ATTENDING AND THAT THE PLANNING COMMISSION WAS TAKING THEIR REQUESTS UNDER ADVISEMENT AND THEY WILL BE WORKING ON THE MAPS AND THIS WILL TELL THE PEOPLE WHERE THEY FALL. PAPERS WERE DISTRIBUTED TO THE CITIZENS TO FILL OUT SO THEIR PROPERTIES COULD BE IDENTIFIED.

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC. CHAIRMAN HOOD SAID THE COUNCIL WOULD LISTEN TO THE PUBLICS' CONCERNS, BUT THEY WOULD NOT RESPOND TO THEM. VICE CHAIRMAN JONES ASKED THAT THE MAP OF THE LEVY LIMEHOUSE AREA BE PROJECTED ON THE OVERHEAD.

EUGENE HICKS QUESTIONED THE 5 ACRE RULE, HE SAID HE DID NOT HAVE A PROBLEM WITH GROWTH, BUT THE DEVELOPERS WERE EXEMPT FROM THIS RULE AND HE WAS TOLD HIS PROPERTY WOULD BE GRANDFATHERED IN, BUT HE FELT THIS AREA NEEDS TO BE LOOKED AT AGAIN AND CITIZENS SHOULD NOT BE RESTRICTED OF THEIR ABILITY TO LEAVE THEIR LAND TO THEIR OFFSPRINGS. MR. HICKS SAID THAT EVERYONE ATTENDING THE MEETING WAS AGAINST THE 5 ACRES.

AL KLECKLEY SAID HE HAD GRAVE CONCERNS WITH THE PLANNING COMMISSION AND WHAT IS PRESENTED IN THIS ORDINANCE. HE SAID HE WAS CONCERNED ABOUT THE UNDISCLOSED AREAS AND THAT THE PEOPLE ON THE PLANNING COMMISSION DOESN'T KNOW ABOUT HEIRS PROPERTY. MR. KLECKLEY SAID PEOPLE WANT TO GIVE THEIR LAND TO THEIR CHILDREN AND THAT THIS DOCUMENT IS FAR REACHING AND FEELS THE PUBLIC HAS BEEN LEFT OUT. MR. KLECKLEY SAID HE FELT THIS ORDINANCE IS LOOKING OUT FOR THE RICH DEVELOPMENTS AND HE FEELS IT IS DESTROYING THE COUNTY AND FORCING PEOPLE OUT OF JASPER COUNTY. MR. KLECKLEY SAID THAT THE MORATORIUM MIGHT NEED TO BE EXTENDED SO THAT THIS DOCUMENT IS DONE RIGHT. MR. KLECKLEY COMMENTED THAT HE ASKED FOR A COPY OF THE ORDINANCE AND WAS TOLD HE COULD VIEW IT ON THE INTERNET. CHAIRMAN HOOD SAID IT IS ON THE COUNTY WEBPAGE OR HE COULD PURCHASE A COPY AT 25 CENTS PER PAGE. CHAIRMAN HOOD SAID HE WAS MEETING WITH A DEVELOPER FOR AFFORDABLE HOUSING AND THAT THEY WERE DISCUSSING 2-3 BEDROOMS HOMES FOR ABOUT \$60,000-\$70,000.00.

REV. MCCLARY SAID HE UNDERSTANDS THE PROBLEMS THE COUNCIL FACES, BUT HE IS CONCERNED ABOUT HEIRS PROPERTY AND THAT THERE IS ONE STANDARD FOR PDD AND ONE STANDARD FOR THE CITIZENS. REV. MCCLARY SAID THAT THE CITIZENS ARE BEING TOLD THAT THEY CANNOT CUT DOWN A TREE. REV. MCCLARY SAID THE ORDINANCE NEEDS MORE STUDY AND THE COUNCIL NEEDS TO TAKE INTO CONSIDERATION THE NATIVES OF JASPER COUNTY SO THAT THEY ARE NOT TAXED OUT OF THEIR LAND.

EUGENE HICKS SAID IT IS AN ISSUE OF BIRTHRIGHT AND IF THEY WANT TO SELL THE LAND OR IF THEY WANT TO GIVE IT TO THEIR CHILDREN AND NOW ACCORDING TO THIS DOCUMENT THEY CANNOT DO IT. CHAIRMAN HOOD SAID THEY HAVE TO GET THEIR ATTORNEY TO DEAL WITH THE HEIRS PROPERTY.

CLARENCE KINLAW, SR. SAID HE HAS LIVED HERE FOR 69 YEARS AND HE HAS ONE PIECE OF PROPERTY THAT IS 4.25 ACRES SO HE WOULD NEVER BE ABLE TO BUILD ANYTHING ON IT AND HE HAS ANOTHER PIECE THAT IS 11.3 ACRES AND THE COUNCIL NEEDS TO WORK ON THIS FOR THE PEOPLE NOT AGAINST THE PEOPLE. MR. KINLAW SAID HIS OFFSPRINGS WILL BE SET BACK BECAUSE OF THIS ORDINANCE AND HE HAS WORKED HARD ALL HIS LIFE AND CAN'T UNDERSTAND THE DOCUMENT AND SOMETHING BETTER NEEDS TO BE DONE FOR THE PEOPLE.

MR. HUTTO, ATTORNEY FOR THE MANUFACTURED HOUSING GROUP, SAID THAT HE KNOWS THE PLANNING COMMISSION HAS PUT A LOT OF TIME AND EFFORT INTO THE ORDINANCE, BUT HE HAD MANY CONCERNS ABOUT THE 5 ACRE SECTION AND THAT IT WOULD PUT PEOPLE OUT OF OWNING THEIR OWN HOMES.

EUGENE WILLIAMS SAID HE MOVED HERE IN SEPTEMBER AND WHAT IS THE BIG RUSH TO GET THIS ORDINANCE PASSED. MR. WILLIAMS SAID THAT MOST OF THE CITIZENS WHOLE EXISTENCE COULD BE CHANGED AND HE DID NOT THINK THIS ORDINANCE SHOULD BE RUSHED THROUGH.

CHAIRMAN HOOD SAID THAT NOTHING HAS BEEN PASSED AND THE COUNCIL WANTS TO WORK WITH THE PUBLIC, HE ASKED THAT THE PUBLIC CONTACT THE COUNCIL SO THEY KNOW WHAT THE CITIZENS WANT SO THAT THEY CAN HELP THEM.

LAFAYETTE WEBBER SAID HE COULD SEE 15 YEARS AGO THAT THIS AREA HAD GREAT POTENTIAL AND THE PEOPLE HAD TO SEE WHAT WAS HAPPENING. MR. WEBBER SAID THIS IS A SERIOUS ISSUE FOR THE PEOPLE WHO HAVE BEEN HERE AND THIS IS GOING TO HURT THOSE PEOPLE IF THEY DON'T GET INVOLVED. MR. WEBBER SAID THIS AREA IS TARGETED FOR GROWTH AND THE PEOPLE NEED TO STICK TOGETHER TO KEEP WHAT THEY HAVE.

COUNCILMAN TYLER SAID THAT HE HAD TO LEAVE THE MEETING AT THIS TIME, BUT HE WANTED THE PUBLIC TO KNOW HE WAS NOT RUNNING AWAY FROM A PROBLEM. HE WOULD BE AVAILABLE TO THEM AT ANYTIME.

ISSAC RILEY SAID THAT PROPERTY VALUE IS ABOUT \$20,000.00 BUT A FOUR ACRE PARCEL WOULD NOT BE WORTH ANYTHING. PAULA WILLIAMS SAID THE CITIZENS SHOULD HAVE SIX MONTHS TO STUDY THIS SINCE THE COUNTY HAS BEEN WORKING ON IT A YEAR. CLARELLA JONES SAID WHAT THEY DON'T WANT IS TO BE LIVING IN A DEVELOPMENT WITH PEOPLE RIGHT NEXT TO THEM SHE SAID THEY WANTED TO CONTINUE TO LIVE THE RURAL LIFE AND HAVE SPACE AROUND THEM. MS. JONES SAID THE PEOPLE SHOULD BE ALLOWED TO DO AND BUILD WHAT THEY WANT WITH THEIR LAND. KENNETH BROWN SAID THE HE AGREED WITH EVERYTHING THAT THE PUBLIC HAS SAID. MR. BROWN SAID HE WAS A DEVELOPER AND ASKED WHAT KIND OF HOME CAN BE BUILT FOR \$60,000.00-70,000.00. MR BROWN SAID HE HAS WORKED HARD AND HE WANTS TO BE ABLE TO BUILD WHAT PEOPLE WANT ON THEIR PROPERTY AND THE PEOPLE NEED A SAY SO IN WHAT IS DONE. CHAIRMAN HOOD SAID THAT THIS HAS BEEN DISCUSSED FOR OVER ONE YEAR AND ALL THE COUNCIL AND PLANNING COMMISSION MEETINGS ARE BROADCASTSED TO LET THE PEOPLE KNOW WHAT IS HAPPENING IN THE COUNTY. CHAIRMAN HOOD CONTINUED THAT THE COUNCIL IS NOT TRYING TO TELL THE PEOPLE WHAT TO DO, HOWEVER, IT IS VERY CHALLENGING TO KEEP JASPER COUNTY RURAL. MR. BROWN SAID HE FELT THIS INFORMATION SHOULD GO OUT THROUGH THE CHURCHES. RITA THOMAS SAID IF THIS HAS BEEN WORKED ON FOR ONE YEAR IT SHOULD HAVE BEEN ADVERTISED IN THE NEWSPAPER. MARY WRIGHT SAID NOT TO PASS THIS PROPOSAL AND MAKE THE ACRERAGE 1 ACRE OR PEOPLE WILL BE HOMELESS. SHE CONTINUED THAT THIS IS TAKING THINGS AWAY FROM THE PEOPLE. JAMES WILLIAMS ASKED WHAT HAPPENS TO HOMES THAT ARE IN THE COMMERICAL ZONED AREAS. DALE HARPER SAID SHE ATTENDED ALL THE COUNCIL MEETINGS FOR SEVERAL YEARS AND SHE SAID THE ONLY TIME A CROWD SHOWS UP IS WHEN THERE IS AN ISSUE THAT AFFECTS THEM. SHE SAID THE PEOPLE NEED TO ATTEND MORE MEETINGS SO THEY KNOW WHAT IS GOING ON. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING.

1ST READING OF THE ORDINANCE TO APPROVE THE JASPER COUNTY 2007-2008 CAPTIAL AND GENERAL OPERATIONS BUDGET:

MR. MALPHRUS DISCUSSED THE PROPOSED BUDGET IN THE AMOUNT OF \$34,262,607.00 WHICH INCLUDED \$10,489,000.00 FOR THE SCHOOL DISTRICT. MR. MALPHRUS SAID THE SCHOOL NUMBER WOULD CHANGE WHEN HE RECEIVED THEIR INFORMATION. MR. MALPHRUS SAID THE COUNTY BUDGET INCREASED, BUT BECAUSE OF THE GROWTH THEIR WOULD BE NO INCREASE ON THE COUNTY'S SIDE OF THE BUDGET. MR. MALPHRUS SAID THIS WAS A BARE BONES BUDGET WITH NO NEW PERSONNEL AND VERY LITTLE EQUIPMENT. MR MALPHRUS SAID THE SPREAD SHEETS THAT HE PREPARED AND THE MEMO FROM MR. FULGHUM ARE NOT INCORPORATED INTO THE PROPOSED BUDGET. MR. MALPHRUS SAID THE 6 NEW EMS PERSONNEL ARE TO BE LOCATED AT CHERRY POINT AND THEY WOULD BE PAID FOR THROUGH THE MILLAGE FOR THAT FIRE DISTRICT. VICE CHAIRMAN JONES SAID THAT THE MILLAGE WAS NOT ENOUGH TO PAY FOR THEM. MR. MALPHRUS SAID HE WOULD DISCUSS THIS WITH THE FINANCE COMMITTEE. COUNCILMAN BLACKSHEAR ASKED ABOUT THE SCHOOLS. AND MR. MALPHRUS SAID IT WILL BE UP SIGNIFICANTLY, BUT HE NEEDED TO CHECK THE NUMBERS. COUNCILMAN TUTEN ASKED HOW MUCH WAS THE MIL WORTH AND MR. MALPHRUS SAID IT WAS WORTH ABOUT \$100,000.00. MR. MALPHRUS SAID THERE WAS NO MONEY IN THE BUDGET FOR TWO PIECES OF EQUIPMENT THAT THE ADMINSTRATION WAS RECOMMENDING TO BE PURCHASED, BUT THEY WERE ASKING THAT THEY BE PURCHASED THIS YEAR AND HAVE THE PAYMENT COME DUE NEXT YEAR. THE TWO PIECES OF EQUIPMENT ARE A MOTOR GRADER AND AN AMBULANCE. VICE CHAIRMAN JONES ASKED ABOUT THE LAW WHERE THE SCHOOLS ARE FINANCED BY THE STATE AND NOT THE COUNTY. MR. MALPHRUS SAID THAT WAS STILL BEING WORKED ON AND THE DEPARTMENT OF REVENUE SAID THE COUNTY MUST BUDGET THE SAME AS IT ALWAYS HAS AND IT WOULD BE REIMBURSED MONEY FROM TAXES PAID BY OWNER OCCUPIED HOMES AND THE OWNERS WOULD GET A CREDIT. VICE CHAIRMAN JONES ASKED IF ANY MILLAGE WOULD BE NEEDED FOR THE SCHOOL BONDS. AND MR. MALPHRUS SAID HE DISCUSSED THAT WITH THE SCHOOL'S ATTORNEY AND HE WAS NOT SURE YET. VICE CHAIRMAN JONES ASKED ABOUT THE FEE IN LIEU PORTION THAT CAN BE USED TO FINANCE THE BONDS AND MR. MALPHRUS SAID THE SCHOOL'S PORTION OF THE FEE IN LIEU CAN BE USED. MR. MALPHRUS SAID THAT HE MILLAGE INCREASE IS LIMITED TO 5.1% OR \$550,000.00. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO APPROVE THE JASPER COUNTY 2007-2008 CAPITAL AND GENERAL OPERATIONS BUDGET. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

1ST READING OF THE ORDINANCE TO AMEND THE 2006-2007 JASPER COUNTY CAPITAL AND GENERAL OPERATIONS BUDGET:

MR. MALPHRUS PRESENTED THE LIST AND ACCOUNTS THAT NEEDED TO BE ADJUSTED DUE TO UNFORSEEN ITEMS AND ALSO IF ANYTHING THAT HAS NOT BEEN BUDGETED FOR THAT LINE ITEM. THE TOTAL AMENDMENT IS IN THE AMOUNT OF \$618,886.00. VICE CHAIRMAN JONES ASKED WHY OVERAGE IN THE EMS SALARY LINE. MR. MALPHRUS SAID THAT THE ADDITIONAL FIREMEN WERE HIRED TO THEIR SHIFTS WERE CHANGED FROM 40 HOURS TO 60 HOURS AND THE FUNDS WERE NOT BUDGETED TO COVER IT. VICE CHAIRMAN JONES ASKED IF THE COUNCIL APPROVED THIS CHANGE. MR. MALPHRUS SAID THIS WAS AN OVERSIGHT WHEN THE BUDGET WAS PREPARED. VICE CHAIRMAN JONES ASKED ABOUT THE WORKERS COMPENSATION AND MR MALPHRUS SAID THAT DUE TO AN AUDIT OF 2005-2006 THE COUNTY OWED AN ADDITIONAL \$50,000.00. VICE CHAIRMAN JONES SAID SHE THOUGHT THE WORKERS COMPENSATION ISSUE WAS HANDLED IN THE BUDGET. MR MALPHRUS SAID

THE AUDTI WAS DONE AFTER THE BUDGET WAS PASSED. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE 2006-2007 JASPER COUNTY CAPITAL AND GENERAL OPERATIONS BUDGET. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

1ST READING OF THE ORDINANCE ACKNOWLEDGING AND APPROVING A MUNICIPALITY IMPROVEMENT DISTRICT IN THE CITY OF HARDEEVILLE:

MR BEN ZEIGLER PRESENTED THE ORDINANCE AND SAID THAT REVENUE COLLECTED IN AREA THAT IS ANNEXED INTO THE HARDEEVILLE MUNICIPALITY AND PUBLIC IMPROVEMENTS ARE DONE AND PAID FOR BY THE MUNICIPAL IMPROVEMENT DISTRICT. MR. ZEIGLER SAID THAT HARDEEVILLE IS PLANNING A MUNICIPAL IMPROVEMENT DISTRICT AND THAT THE FUNDS WOULD BE USED OUTSIDE THE CITY LIMITS AND THE COUNTY COUNCIL MUST CONSENT TO HAVE THE CITY OF HARDEEVILLE USE THOSE FUNDS ALONG HWY. 278 WHERE IT COMES INTO THE DEVELOPMENT. \$800,000.00 IS PROJECTED TO BE SPENT ON THESE IMPROVEMENTS. MR. ZEIGLER SAID THE IMPROVEMENTS INCLUDE WATER AND SEWER WHICH WOULD BE OWNED BY BJWSA AND THE IMPROVEMENTS TO THE ROADS WOULD BE DEDICATED TO SCDOT. MR. ZEIGLER SAID THAT THIS ORDINANCE WOULD NOT COST THE COUNTY ANY MONEY OR THE COUNTY WOULD NOT BE RESPONSIBLE FOR ANY OF THE IMPROVEMENTS. VICE CHAIRMAN JONES SAID THE COUNTY DOES NOT HAVE ANY OWNERSHIP ON HWY. 278. MR. ZEIGLER SAID THE CONSENT OF THE COUNTY WAS STILL NEEDED AND THE COUNTY WILL HAVE NOT RESPONSIBILITY IN MAINTAINING ANY OF THE IMPROVEMENTS. COUNCILMAN TUTEN ASKED IF MR. FULGHUM RECOMMENDED THIS AND MR FULGHUM SAID HE DID RECOMMEND IT AND THAT IT CAUSED NO HARM FOR THE COUNTY. MR. STARTLING EXPLAINED WHERE THE DEVELOPMENT WAS LOCATED AND IT WAS ABOUT 2,400 ACRES WITH ABOUT 2,400 UNITS. MR. STARTLING SAID THERE WAS ALSO A SMALL AREA FOR COMMERCIAL AND MIXED USE. MR. STARTLING CONTINUED THAT THE UNITS WILL BE SINGLE FAMILY UNITS AND TOWNHOUSES AND THAT 48% OF THE LAND IS WETLAND. CHAIRMAN HOOD ASKED IF THE ATTORNEY HAS REVIEWED THE DOCUMENT. MR. FULGHUM SAID THAT ATTORNEY JONES WOULD MAKE A RECOMMENDATION AT THE NEXT MEETING. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE ACKNOWLEDGING AND APPROVING A MUNICIPALITY IMPROVEMENT DISTRICT IN THE CITY OF HARDEEVILLE. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN JONES, AND COUNCILMAN BLACKSHEAR VOTING FOR; COUNCILMAN TUTEN VOTED AGAINST.

APPROVAL OF THE NEW WORLD/ESRI QUOTE FOR SOFTWARE AND MAINTENANCE FOR EMERGENCY SERVICES:

MR. MALPHRUS PRESENTED THE QUOTE FROM NEW WORLD SYSTEMS FOR THE SOFTWARE AND MAINTENANCE FOR EMERGENCY SERVICES. THE COST OF THE UPGRADE IS \$7,800.00. AND IT WOULD BE INCLUDED IN NEXT YEAR'S BUDGET. VICE CHAIRMAN JONES SAID SHE FELT THE WHOLE PACKAGE SHOULD BE PRESENTED AT ONE TIME AND NOT IN INSTALLMENTS. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO APPROVE THE NEW WORLD/ESRI QUOTE IN THE AMOUNT OF \$7,800.00 FOR SOFTWARE AND MAINTENANCE FOR EMERGENCY SERVICES. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

APPROVAL OF CHANGING DATE FOR DELINQUENT TAX SALE:

MR MALPHRUS REQUESTED THAT THE DATE OF THE SALE BE CHANGED FROM OCTOBER 1 TO NOVEMBER 1 TO ALLOW FOR ADDITIONAL TIME FOR THE TAX BILLS TO BE ISSUED. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO CHANGE THE DATE OF THE TAX SALE FROM OCTOBER 1 TO NOVEMBER 1. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. MR. MALPHRUS SAID THE MEDIA WILL BE NOTIFIED.

APPROVAL OF THE LANDSCAPE ARCHITECT SERVICE CONTRACT OF ALAN GALSBERG FOR CYPRESS RIDGE INDUSTRIAL PARK, THE ANNEX PROJECT, THE FARMERS MARKET AND THE LEVY COMMUNITY CENTER PARK:

THE COUNCIL REQUESTED ADDITIONAL DETAILS AND INFORMATION ON THIS CONTRACT AND THE MATTER WAS TABLED TO A FUTURE DATE.

APPROVAL OF EASEMENT FOR SCE&G:

MR FULGHUM EXPLAINED THAT SCE&G ALREADY HAD AN EASEMENT AND THAT THEY WERE REQUESTING THAT THE EASEMENT BE EXPANDED TO INCLUDE A GAS LINE WHICH WOULD PROVIDE GAS TO THE PEOPLE ALONG HWY. 278. VICE CHAIRMAN JONES ASKED IF THE SCHOOLS WILL BE USING GAS AND MR. COPELAND SAID THAT THEY HAD NOT MADE A REQUEST FOR IT. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO APPROVE THE EASEMENT FOR SCE&G. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS:

MR BLACKSHEAR SAID THAT THE MINUTES INCLUDED IN THE COUNCIL'S PACKETS COVERED HIS COMMITTEES AND ASKED IF THE COUNCIL MEMBERS HAD ANY QUESTIONS. COUNCILMAN TUTEN ALSO SAID COPIES OF THE MINUTES OF HIS MEETINGS WERE ALSO INCLUDED AND ASKED FOR ANY QUESTIONS. MR. TUTEN ALSO REPORTED THAT HE AND MR. TYLER WENT TO COLUMBIA FOR THE SIGNING OF THE PORT BILL BY THE GOVERNOR. VICE CHAIRMAN JONES ASKED WHY SOME OF THE COUNCIL SUB-COMMITTEES WERE GOING INTO EXECUTIVE SESSION TO DISCUSS MATTERS, AND SINCE THE COUNCIL DOES NOT DEAL

WITH EMPLOYMENT MATTERS WITH EMS. COUNCILMAN TUTEN SAID THEY WERE DISCUSSING A LOCATION AND WOULD BRING THE MATTER TO COUNCIL AT THE NEXT MEETING.

ADMINISTRATORS' REPORTS:

MR. FULGHUM UPDATED THE COUNCIL ON THE ANNEX TIME LINE AND SAID HE WOULD HAVE THE FINAL COST ESTIMATE BY JUNE 1 AND THAT BY JUNE 28 100% OF ALL THE DOCUMENTS WOULD BE TURNED OVER TO COUNCIL. MR. FULGHUM SAID THAT THE BID AVERTISEMENTS WOULD BE DONE BY AUGUST 15 AND BY SEPT. 4 CONSTRUCTION WOULD START.

MR. FULGHUM UPDATED THE COUNCIL ON THE SALE OF THE FORMER LOW COUNTRY GENERAL HOSPITAL AND SAID THAT THE ATTORNEY DEVELOPED A MEMORANDUM OF UNDERSTANDING FOR THE TWO INTERESTED PARTIES TO COMPLETE. MR. FULGHUM SAID HE WOULD EVALUATE THE TWO OFFERS AND MAKE A RECOMMENDATION TO THE COUNCIL AT THE NEXT COUNCIL MEETING IN EXECUTIVE SESSION.

VICE CHAIRMAN JONES ASKED THAT THE COST ESTIMATE FOR THE ANNEX BUILDING BE PRESENTED TO COUNCIL PRIOR TO IT BEING ADVERTISED FOR BIDS. MR. FULGHUM SAID HE WOULD DO THAT.

OPEN THE FLOOR TO THE PUBLIC:

CHAIRMAN HOOD OPENED THE PUBLIC HEARING.

MR. GLENN STORCK ASKED THE COUNCIL TO DIRECT MR. FULGHUM TO ISSUE THE PLANNING COMMISSION A LETTER OF APOLOGY FOR THE MEMO HE SENT TO THEM REGARDING THE PLANNING COMMISSION DINNER THAT RESULTED IN AN ARTICLE IN THE EDITORIAL SECTION OF THE BEAUFORT GAZETTE. MR. STORCK SAID THAT MR. FULGHUM EMBARRASSED AND HUMILIATED THE PLANNING COMMISSION AND THAT THIS MATTER COULD HAVE BEEN HANDLED OVER THE PHONE.

SCOTT MIDDLETON OF AGAPE SENIOR INFORMED THE COUNCIL THAT HIS GROUP WAS VERY INTERESTED IN THE HOSPITAL AND THAT THEY DID SEND THE CONTRACT THAT THE COUNCIL REQUESTED AND HE WAS TOLD THE COUNCIL REQUESTED A NEW FORMAT AND THAT THEY HAVE AND WILL DO EVERYTHING THAT THE COUNCIL REQUESTS. BEING NO FURTHER COMMENTS CHAIRMAN HOOD CLOSED THE PUBLIC HEARING.

EXECUTIVE SESSION:

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

RETURN TO REGULAR SESSION:

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO RETURN TO REGULAR SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN TUTEN MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO ASK MRS. BARTOLDUS AND MR. STORCK TO RESIGN FROM THE PLANNING COMMISSION. CHAIRMAN HOOD, COUNCILMAN TUTEN AND COUNCILMAN BLACKSHEAR VOTED FOR, VICE CHAIRMAN JONES VOTED AGAINST.

ADJOURN:

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH COUNCILMEN BLACKSHEAR, TUTEN AND CHAIRMAN HOOD VOTING FOR. VICE CHAIRMAN JONES VOTED AGAINST.

THE MEETING ENDED AT 7:35 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN