



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS**

**358 THIRD AVE.
RIDGELAND, SC 29936
SEPTEMBER 21, 2009
6:00 P.M.**

MEETING WORKSHOP

OFFICIALS PRESENT:

DR. 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
MARVIN JONES, ATTORNEY
JUDITH FRANK, CLERK TO COUNCIL

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 WORKSHOP TO ORDER AT 6:00 P.M. AND EXPLAINED THAT THE COUNCIL WAS MEETING TO DISCUSS THE ITEMS ON THE AGENDA.

MCIP:

COUNCILMAN ETHERIDGE COMMENTED THAT ALL THE INFORMATION IN THE COUNCIL PACKET WAS NOT INCLUDED FOR THEIR REVIEW PRIOR TO THE MEETING. COUNCILMAN ETHERIDGE SAID TWO ATTACHMENTS WERE JUST GIVEN TO THE COUNCIL. MR. FULGHUM SAID THE ATTACHMENTS WERE FROM MR. LUCAS, ATTORNEY FOR THE DEVELOPER, AND THEY WERE RECEIVED TODAY. COUNCILMAN ETHERIDGE ASKED IF THERE WERE CHANGES TO THE ORDINANCE AND MR. FULGHUM RESPONDED THERE WERE CHANGES. CHAIRMAN HOOD SAID THE PERCENTAGES WERE INCORRECT IN THE PREVIOUS ORDINANCE GIVEN TO COUNCIL AND HE ASKED IF THEY HAVE BEEN CHANGED AND CORRECTED. COUNCILMAN ETHERIDGE SAID HE DID NOT THINK THE COUNCIL SHOULD ACT ON SOMETHING THAT THEY JUST RECEIVED ONE HOUR PRIOR TO THE MEETING. MR. FULGHUM SAID HE JUST RECEIVED THEM TODAY AND THAT ATTACHMENTS ARE TO BE ATTACHED TO ALL ORDINANCES BY THE 2ND READING. COUNCILMAN ETHERIDGE ASKED FOR AN EXPLANATION OF THE ATTACHMENTS. MR. JONES SAID THAT THE CHANGES DID NOT EFFECT ANYTHING THAT THE COUNTY PREVIOUSLY AGREED TO AND THE PURCHASERS WERE NOT HAPPY WITH THE FILOT AND THE WORD FILOT WAS CHANGED TO INTRASTRUCTURE FINANCING. MR. JONES SAID THAT SOME OF THE WHEREAS CLAUSES WERE CHANGED. COUNCILMAN GREGORY SAID HE WANTED TIME TO REVIEW THE ATTACHMENTS

AND DID NOT THINK THEY SHOULD ACT ON THIS TONIGHT. MR. JONES SAID THE COUNCIL COULD HAVE A 1ST READING TONIGHT SO THAT THEY COULD MEET THE TIMELINE. COUNCILMAN GREGORY RESPONDED THAT A SPECIAL MEETING COULD BE CALLED AND STILL MAKE THE TIMELINE. MR. JONES SAID THAT MR. LUCAS WOULD BE PRESENT AT THE MEETING TO ANSWER ANY QUESTIONS.

PERRY HOUSE LEASE:

CHAIRMAN HOOD SAID MOST OF THE PAVING OF THE PERRY HOUSE PARKING LOT WILL BE DONE WITH C-FUNDS AND HE ASKED IF A-TAX FUNDS COULD PAY THE BALANCE. MR. FULGHUM SAID A-TAX FUNDS WOULD BE USED. MR. FULGHUM SAID THAT MR. SAULS STILL HAD SOME CONCERNS ABOUT THE LEASE, WHICH INCLUDED, A LONGER TERM, THAT THE COUNTY WOULD PAY FOR REPAIRS AND THAT THE COUNTY PAY THE UTILITES FOR THE BALANCE OF THIS FISCAL YEAR. MR. FULGHUM SAID THAT THE TRANSPORTATION COMMITTEE APPROVED \$113,000.00 FOR THE PARKING LOT AND THE LOW BID WHICH INCLUDED LANDSCAPING AND A CONTINGENCY WAS \$121,028.00. MR. FULGHUM ADDED THAT IN ORDER TO MAKE THE PROJECT WORK THEY WERE REQUESTING THE BALANCE FROM A-TAX FUNDS. MR. FULGHUM REMINDED THE COUNCIL THAT IF THE CHAMBER DID NOT MOVE INTO THE PERRY HOUSE, A-TAX FUNDS COULD NOT BE USED. COUNCILMAN ETHERIDGE SAID THE COUNCIL HAS ALREADY AGREED TO SOME REPAIRS AND MADE OTHER CONCESSIONS. MR. FULGHUM SAID HE SYMPATHIZED WITH THE THEM AND THEY WANTED TO BE REASSURED THAT A-TAX FUNDS WOULD PAY FOR ANY MAJOR RENOVATION.

MOU-RIDGELAND BAPTIST CHURCH AND JASPER COUNTY:

CHAIRMAN HOOD SAID HE FELT THE MOU NEEDED TO BE MORE SPECIFIC AND HE WAS RELUCTANT TO APPROVE SOMETHING THIS OPEN ENDED. MR. FULGHUM SAID THAT THEY JUST NEED TO TIE DOWN THE DETAILS. COUNCILMAN ETHERIDGE SAID HE FELT THE ATTORNEY SHOULD REVIEW IT. CHAIRMAN HOOD ASKED ATTORNEY JONES TO REVIEW THE MOU AND THAT HE WAS CONCERNED ABOUT THE REIMBURSEMENT CLAUSE AND WHAT IF FEMA DID NOT PAY THE COUNTY, WOULD THE COUNTY STILL HAVE TO PAY THE CHURCH. MR. JONES SAID THE COUNTY WOULD HAVE TO PAY EVEN IF THEY ARE NOT PAID BY FEMA. MR JONES SAID THAT THE COUNTY WOULD HAVE TO PAY FOR USING THE CHURCH'S RESOURCES AND THAT THE COUNTY WOULD HAVE TO MAKE GOOD ON THE CHURCHES LOSSES DUE TO COUNTY USE. COUNCILMAN TYLER ASKED IF MORE SPECIFIC NUMBERS COULD BE USED. MR. JONES ANSWERED THAT THE MOU CAN BE DONE HOWEVER THE COUNCIL WANTED IT DONE. MR. JONES SAID THAT EMS DID A GREAT JOB ANTICIPATING THE NEEDS IN CASE OF AN EMERGENCY, BUT HE DID NOT SEE ANY WAY AROUND NOT PAYING EVEN IF FEMA DOES NOT PAY. CHAIRMAN HOOD ASKED THAT THE FEMA RATE BE TIED INTO THE MOU FOR REPAYMENT. MR. JONES SAID HE WOULD DO A DRAFT AND PUT IT IN. COUNCILMAN GREGORY ASKED IF THERE WAS ONLY ONE PROPOSED SITE. MR. FULGHUM SAID THAT THEY STILL HAD THE SCHOOLS. COUNCILMAN GREGORY ASKED IF THE COUNTY WOULD BE RESPONSIBLE TO THE SCHOOLS AND MR. FULGHUM SAID THE CHURCH WOULD BE USED FOR COUNTY EMPLOYEES WHO ARE CALLED IN TO WORK.

COMMUNICATION TOWER:

CHAIRMAN HOOD ASKED IF ALL THE FUNDING FOR THE COMMUNCIATION TOWER WAS IN THE BUDGET. MR. MALPHRUS SAID THAT THE TOWER WAS TO BE PAID FOR FROM A GRANT AND THE COUNTY MATCH PORTIONOF \$182,000.00 WAS COVERED BY AN OUTSTANDING LOAN AND THE GRANT AND LOAN IS THE TOTAL

AMOUNT FOR THE TOWER. COUNCILMAN ETHERIDGE SAID HE FELT THE LANGUAGE SHOULD BE CHANGED. MR. MALPRHUS SAID IT COULD BE CHANGED.

AIRPORT BIDS:

MR. FULGHUM SAID THAT HE ONLY RECEIVED TWO BIDS AND REA CONSTRUCTION PRESENTED THE LOWEST BID.

LCOG FINANCING:

COUNCILMAN ETHERIDGE ASKED WHY LCOG COULD NOT SECURE FINANCING WITHOUT THE COUNTY. MR. FULGHUM SAID LCOG WAS NOT ABLE TO ISSUE DEBT AND THEY WERE ASKING THE COUNTY TO BE A CONDUIT FOR THE DEBT FOR THEM. MR. FULGHUM SAID IT WOULD BE A LEASE PURCHASE ARRANGEMENT. MR. FULGHUM SUGGESTED RUNNING IT THROUGH THE BOND. MR. FULGHUM SAID THAT IT WOULD TAKE THREE READING OF AN ORDINANCE TO APPROVE THIS TRANSACTION. COUNCILMAN ETHERIDGE ASKED IF THIS WOULD BE RECOGNIZED DEBT AGAINST THE COUNTY AND MR. MALPHRUS SAID THE DEBT WOULD NOT BE ON THE COUNTY'S BOOKS AND IT WOULD SHOW AS AN ASSET ON LCOG'S BOOKS. MR. MALPHRUS SAID IN THE COUNTY'S AUDIT IT WOULD BE MENTIONED AS A FINANCIAL NOTE.

TAX ANTICIPATION NOTE:

COUNCILMAN GREGORY ASKED WHY THE TAX ANTICIPATION NOTE WAS NEEDED. MR. MALPHRUS SAID THE COUNTY WAS RUNNING LOW ON CASH AND THAT THIS WAS A LEAN TIME OF YEAR FOR THE COUNTY DUE TO THE DECLINE IN FEES AND MOST PEOPLE PAY THEIR PROPERTY TAXES IN DECEMBER AND JANUARY. MR. MALPHRUS SAID THEY NEEDED TO DO A TAX ANTICIPATION NOTE AND IT WOULD BE DUE IN APRIL. COUNCILMAN GREGORY ASKED HOW MUCH MONEY WAS NEEDED. MR. MALPHRUS SAID THE NOTE WOULD BE FOR FIVE MILLION DOLLARS. COUNCILMAN ETHERIDGE ASKED IF AN ORDINANCE WAS NECESSARY AND MR. MALPHRUS RESPONDED THAT THE BUDGET ORDINANCE AUTHORIZES THE COUNCIL TO BORROW MONEY, HOWEVER, THE BANK IS GOING TO WANT A RESOLUTION. MR. MALPHRUS SAID THEY NEEDED THE MONEY AS SOON AS POSSIBLE AND IT COULD TAKE UP TO 1-1 ½ WEEKS TO GET THE FUNDS AND THEY NEEDED TO GET THIS DONE TO COVER THE NEXT PAYROLL. COUNCILMAN ETHERIDGE ASKED WHAT WAS THE COUNTY'S REVENUE OUTLOOK AND CAN THE COUNTY CONTINUE TO ADVANCE THE SCHOOL DISTRICT AS MUCH AS IT HAS IN THE PAST. COUNCILMAN ETHERIDGE SAID HE WOULD LIKE SOME HARD FACTS. MR. MALPHRUS SAID HE WOULD LOOK INTO IT IN DECEMBER AND SEE WHERE THE COUNTY STANDS AND HE WILL THEN MAKE ANY ADJUSTMENTS THAT ARE NEEDED. COUNCILMAN ETHERIDGE ASKED HOW MUCH IS IT GOING TO COST THE COUNTY TO BORROW THE \$5,000,000.00. MR. MALPHRUS RESPONDED ABOUT \$100,000.00 FOR SIX MONTHS. COUNCILMAN ETHERIDGE ASKED IF SEVERAL BANKS WERE CONTACTED. MR. MALPHRUS SAID HE WAS ONLY DEALING WITH ONE BANK DUE TO THE TIME. COUNCILMAN ETHERIDGE ASKED WHEN WAS THE LAST TIME THE COUNTY HAD TO BORROW MONEY TO OPERATE AND MR. MALPHRUS SAID ABOUT 8 YEARS AGO. COUNCILMAN GREGORY ADDED THAT FUNDS WERE BORROWED WHEN MR. LOWTHER WAS CHAIRMAN OF COUNCIL, BUT THEN HENRY MOSS CAME AND STRAIGHTENED THINGS OUT. COUNCILMAN ETHERIDGE SAID THE MONEY IN THE RESERVE HELPED OUT, BUT THERE IS NO MONEY IN THE RESERVE NOW. MR. FULGHUM SAID THAT AFTER THE AUDIT IS FINISHED THEY WILL KNOW WHERE THE BUDGET STANDS, BUT HE IS LOOKING AT THE BUDGET DAILEY. MR. MALPHRUS SAID THAT IN REVIEWING THE REVENUE WITH MR. MELLON THEY DISCOVERED THAT THE LOCAL OPTION SALES TAX CREDIT WAS HIGHER THAN IT WAS SUPPOSE

TO BE AND THE BUDGET NEEDED TO BE AMENDED TO CHANGE THE NUMBER. ONCE THE CREDIT FACTOR IS CHANGED, THE COUNTY WILL RECEIVE ABOUT \$390,000.00 MORE THAN IS IN THE BUDGET. MR. MALPHRUS SAID THAT THE TAX BILLS SHOULD NOT BE ISSUED UNTIL THE BUDGET IS AMENDED. MR. MALPHRUS REQUESTED THAT THE COUNCIL HAVE FIRST READING AT THE MEETING TONIGHT BY TITLE ONLY AND THE 2ND READING AT THE OCT. 5, 2009 MEETING. CHAIRMAN HOOD INSTRUCTED THE ATTORNEY TO PREPARE THE ORDINANCE.

PROPERTY TAX INSTALLMENTS:

COUNCILMAN GREGORY SAID THAT THEY ALSO NEEDED TO START ON THE PROCESS SO THAT THE TAXPAYERS CAN PAY THEIR TAXES IN INSTALLMENT. MR. MALPHRUS SAID THAT HE INCLUDED INFORMATION IN THE COUNCIL'S PACKET. MR. MALPHRUS SAID IT WAS MORE INVOLVED THAN COLLECTING MONEY. MR. FULGHUM SAID THAT A PROCES OF CHECKS AND BALANCES ARE NEEDED AND THERE WAS NO WAY IT COULD BE DONE FOR THIS YEARS TAXES. COUNCILMAN GREGORY ASKED WHY IT WAS SO HARD WHEN OTHER COUNTIES ARE DOING IT IN HOUSE. MR. MALPHRUS RESPONDED THAT 5-6 COUNTIES WERE DOING IT IN HOUSE, BUT THEY HAVE COMPUTER PROGRAMERS WHO DEVELOPED THE SOFTWARE AND THE COUNTY HAS A COMPUTER TECH, NOT A PROGRAMMER. COUNCILMAN GREGORY ASKED IF THE OTHER COUNTIES ADDED EMPLOYEES. MR. MALPHRUS RESPONDED THAT SOME COUNTIES NEEDED MORE EMPLOYEES, OTHERS DID NOT. VICE CHAIRMAN BLACKSHEAR ADDED THAT HE WANTED UP AND RUNNING BY JANUARY. COUNCILMAN TYLER ASKED WHEN WAS THE EARLIEST THAT THE CITIZENS CAN PAY THEIR TAXES. MR. MALPHRUS ANSWERED AS SOON AS THE BILLS ARE RECEIVED AROUND THE 1ST OF NOVEMBER. COUNCILMAN GREGORY SUGGESTED THAT THE COUNCIL MEMBERS VISIT SOME OF THE OTHER COUNTIES AND SEE HOW THEY ARE COLLECTING THE TAXES IN INSTALLMENTS. COUNCILMAN ETHERIDGE COMMENTED THAT RICHLAND COUNTY COLLECTS THE TAXES MONTHLY. MR. MALPHRUS SAID THE OTHERS DO IT QUARTERLY.

THE WORKSHOP ENDED AT 6:58 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN