



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
358 THIRD AVE., RIDGELAND, SC 29936
JANUARY 18, 2011, 7:00 P.M.
MINUTES**

OFFICIALS PRESENT: CHAIRMAN LEROY BLACKSHEAR, VICE CHAIRMAN SAMUEL GREGORY, COUNCILMAN HENRY ETHERIDGE, COUNCILMAN THEODUS L. DRAYTON, COUNCILMAN L. MARTIN SAULS IV.

STAFF PRESENT: ADMINISTRATOR-ANDREW FULGHUM, CLERK TO COUNCIL-JUDITH FRANK, COUNTY ATTORNEY – MARVIN JONES, DIRECTOR OF ADMINISTRATIVE SERVICES-RONNIE MALPHRUS, DIRECTOR OF EMERGENCY SERVICES-WILBUR DALEY, DIRECTOR OF ENGINEERING SERVICES-DALE TERRY, PLANNING DIRECTOR-DAVID JIROUSEK, CHIEF BUILDING INSPECTOR- HERMAN SMITH

CALL TO ORDER- CHAIRMAN BLACKSHEAR CALLED THE MEETING TO ORDER AT 7:00 P.M.

PLEDGE OF ALLEGIANCE- CHAIRMAN BLACKSHEAR LED THE PLEDGE OF ALLEGIANCE.

INVOCATION – COUNCILMAN SAULS GAVE THE INVOCATION.

APPROVAL OF THE MINUTES OF THE 01/03/2011 COUNCIL MEETING- VICE CHAIRMAN GREGORY MOTIONED AND COUNCILMAN SAULS SECONDED THE MOTION TO APPROVE THE MINUTES OF THE 1/03/2011 COUNTY COUNCIL MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATIONS - THERE WERE NO PROCLAMATIONS OR PRESENTATIONS.

PUBLIC HEARINGS AND ORDINANCES

DAVID JIROUSEK – 3RD READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A PROPERTY BEARING JASPER COUNTY TAX MAP NUMBER 081-00-01-014 GENERALLY LOCATED ON SC 462 FROM THE RESIDENTIAL ZONE

TO THE INDUSTRIAL DEVELOPMENT ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP – THIS ORDINANCE WAS WITHDRAWN AT THE REQUEST OF THE PROPERTY OWNER.

DAVID JIROUSEK – 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY LAND DEVELOPMENT REGULATIONS ORDINANCE, AS AMENDED, SO AS REPEAL SECTION 8.8 AND TO AMEND THE JASPER COUNTY CODE SECTION 25-121 TO 25-134 SO AS TO ENSURE CONSISTENCY WITH STATE LAW AND CLEARLY STATE PROCEDURES, POLICIES, REVIEW AND APPROVAL PROCESS FOR ADDRESSING AND ROAD NAMING IN JASPER COUNTY - MR. JIROUSEK EXPLAINED THAT THIS ORDINANCE WAS NEEDED SO THAT THE COUNTY'S ROAD NAMING ORDINANCE WOULD BE CONSISTANT WITH STATE LAW. VICE CHAIRMAN GREGORY STATED THAT PREVIOUSLY ROAD NAMES WERE CHANGED WITHOUT THE KNOWLEDGE OF THE CITIZENS WHO LIVED ON THE ROADS AND THE CITIZENS WERE UPSET WHEN IT HAPPENED. MR. JIROUSEK SAID THIS ORDINANCE HAS SPECIFIC GUIDELINES THAT NEED TO BE FOLLOWED WHEN CHANGING OR NAMING A ROAD. MR. JIROUSEK EXPLAINED THAT WHEN THE COUNTYWIDE 911 ADDRESSING WAS DONE THAT MAY HAVE HAPPENED; HOWEVER, THIS ORDINANCE REQUIRES THAT ANY CHANGES BE HIGHLY PUBLICIZED. COUNCILMAN DRAYTON SAID THAT A DOCUMENT WAS SENT OUT TO THE CITIZENS TO SUBMIT A NAME CHANGE AND IF NO NAMES WERE RECEIVED, THEN THE COUNTY NAMED THE ROADS. MR. FULGHUM SAID THAT THE COUNTY NEEDED TO MAKE SURE THAT THERE WERE NO DUPLICATE ROAD NAMES. VICE CHAIRMAN GREGORY SAID HE NEVER RECEIVED A LETTER DURING TIME THE COUNTY WAS DOING THE 911 ADDRESSING. MR. JIROUSEK SAID THAT THE STAFF RECOMMENDS APPROVAL OF THE ORDINANCE. VICE CHAIRMAN GREGORY MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY LAND DEVELOPMENT REGULATIONS ORDINANCE, AS AMENDED, SO AS REPEAL SECTION 8.8 AND TO AMEND THE JASPER COUNTY CODE SECTION 25-121 TO 25-134 SO AS TO ENSURE CONSISTENCY WITH STATE LAW AND CLEARLY STATE PROCEDURES, POLICIES, REVIEW AND APPROVAL PROCESS FOR ADDRESSING AND ROAD NAMING IN JASPER COUNTY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 3RD READING OF AN ORDINANCE TO AUTHORIZE THE CONVEYANCE OF JAPER COUNTY'S INTEREST, IF ANY, IN .23 ACRE, MORE OR LESS TO THE TOWN OF RIDGELAND BY QUITCLAIM DEED. THIS REAL PROPERTY IS LOCATED BETWEEN I-95 NORTHBOUND, EXIT 21 OFF RAMP AND SYCAMORE DRIVE WITH THE NORTH MOST CORNER MARKER INTERSECTING WITH MAIN STREET/S.C. HIGHWAY 336 RIGHT-OF-WAY; AND HAS NOT YET BEEN ASSIGNED A JASPER COUNTY TAX MAP NUMBER –MR. JIROUSEK DISCUSSED THE LOCATION OF THE PROPERTY AND THAT HE WAS NOT SURE IF THE COUNTY HAD ANY RIGHTS TO THIS PROPERTY, BUT THE QUIT CLAIM DEED WOULD TRANSFER THOSE RIGHTS, IF ANY. MR. JIROUSEK

SAID HE CHECKED WITH THE REGISTER OF DEEDS AND HE FELT THAT SCDOT OWNED THE PROPERTY, BUT SCDOT STATED THAT THEY TURNED THE PROPERTY OVER TO THE COUNTY. MR. JIROUSEK SAID THAT SCDOT COULD NOT PROVIDE ANY DOCUMENTATION THAT THIS HAPPENED. COUNCILMAN ETHERIDGE ASKED WHO OWNED SYCAMORE ST. AND MR. JIROUSEK RESPONDED THAT IT WAS NOT A COUNTY MAINTAINED ROAD AND HE THOUGHT THE STATE MAINTAINED THE ROAD. THIS ITEM WAS TABLED UNTIL THE PLAT FOR THE PROPERTY IS RECORDED. COUNCILMAN ETHERIDGE SAID THAT THE PROPERTY LOOKS LIKE A SCDOT RIGHT OF WAY AND THE STATE WILL NOT GIVE THE TOWN A QUIT CLAIM DEED. COUNCILMAN ETHERIDGE SAID THAT NO ONE IS PAYING TAXES ON THIS PROPERTY AND THERE HAS NOT BEEN A TITLE SEARCH TO SEE WHO OWNED THE PROPERTY. COUNCILMAN DRAYTON ASKED IF THE OTHER I-95 EXITS ARE THE SAME. MR. JIROUSEK SAID TAXES ARE NOT PAID ON RIGHT OF WAY. MR. JIROUSEK SAID SCDOT THINKS THEY TRANSFERRED THE PROPERTY A FEW YEARS AGO, BUT THEY PROVIDED NO RECORDS. COUNCILMAN SAULS SAID HE HAS RESERVATIONS SINCE THE PLAT WAS NOT RECORDED AND THERE IS NOT PROOF THE STATE TURNED THE LAND OVER TO THE COUNTY. ATTORNEY JONES SAID THE PLAT HAS NOT BEEN RECORDED, BUT IT WOULD BE RECORDED WHEN THE TOWN RECORDS THE QUIT CLAIM DEED. ATTORNEY JONES SAID THAT THIS WAS NOTHING OUT OF THE ORDINARY. VICE CHAIRMAN GREGORY ASKED WHY THE STATE WAS NOT GIVING THE QUIT CLAIM DEED. MR. JIROUSEK SAID THAT THE TOWN REQUESTED A QUIT CLAIM DEED FROM THE STATE, BUT THE STATE WOULD NOT GIVE THEM ONE. MR. JIROUSEK ADDED THAT THERE ARE NO RECORDS THAT THE STATE GAVE THE LAND TO THE COUNTY. VICE CHAIRMAN GREGORY MOTIONED AND COUNCILMAN SAULS SECONDED THE MOTION TO TABLE THE ORDINANCE UNTIL THE PLAT IS RECORDED. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO ADOPT THE POINT SOUTH COUNTY IMPROVEMENT DISTRICT PLAN AS AN ATTACHMENT TO THE JASPER COUNTY COMPREHENSIVE PLAN – MR. JIROUSEK EXPLAINED THAT THIS WAS A GENERAL PLAN FOR THE POINT SOUTH COUNTY IMPROVEMENT DISTRICT AND IT DID NOT COMMIT THE COUNTY TO ANY FINANCING. MR. JIROUSEK SAID THE PLAN WOULD BE ATTACHED TO THE COUNTY’S COMPREHENSIVE PLAN. CHAIRMAN BLACKSHEAR OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN BLACKSHEAR CLOSED THE PUBLIC HEARING. COUNCILMAN DRAYTON MOTIONED AND VICE CHAIRMAN GREGORY SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO ADOPT THE POINT SOUTH COUNTY IMPROVEMENT DISTRICT PLAN AS AN ATTACHMENT TO THE JASPER COUNTY COMPREHENSIVE PLAN. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER

COUNTY SO AS TO TRANSFER PROPERTIES BEARING JASPER COUNTY TAX MAP NUMBERS 038-05-00-003 AND 038-05-00-004 AND GENERALLY LOCATED ON SPEEDWAY BOULEVARD FROM THE COMMUNITY COMMERCIAL AND RESIDENTIAL SPLIT ZONE TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP – MR. JIROUSEK EXPLAINED THAT WHEN THE COUNTY PUT THE NEW ZONING INTO EFFECT, THESE PROPERTIES WERE SPLIT ZONED AND THE FRONT PORTION OF THE PROPERTY WAS ZONED COMMUNITY COMMERCIAL, BUT THE REAR PORTION OF THE PROPERTY WAS ZONED RESIDENTIAL. MR. JIROUSEK SAID THE PROPERTY OWNER WAS REQUESTING A ZONING CHANGE SO THAT THE ENTIRE PARCEL WOULD BE COMMUNITY COMMERCIAL. CHAIRMAN BLACKSHEAR OPENED THE PUBLIC HEARING. RANDY WAITE SAID THAT THERE WERE A NUMBER OF RESIDENTIAL PROPERTIES ADJACENT TO THE REAR PORTION AND THAT HE DID NOT FEEL THERE WAS ANY REAL NEED TO CHANGE THE ZONING. MR. WAITE SAID THAT THE PROPERTY IS FOR SALE AND IF THE PROPERTY IS REZONED, THE NEW OWNER COULD CHANGE THE TYPE OF BUSINESS THAT WOULD BE ON THAT PROPERTY AND IT WOULD ADJOIN RESIDENTIAL PROPERTIES. BEING NO FURTHER COMMENTS, CHAIRMAN BLACKSHEAR CLOSED THE PUBLIC HEARING. COUNCILMAN SAULS ASKED IF THE PROPERTY IS ZONED COMMUNITY COMMERCIAL, WHAT LATITUDE WOULD THE NEW OWNER HAVE AND WOULD IT BE A DETRIEMENT TO THE ADJACENT PROPERTY OWNERS. MR. JIROUSEK SAID THAT CURRENTLY GALE CONSTRUCTION AND AN ALUMINUM SIDING COMPANY, BUT ANY FUTURE USE WOULD HAVE TO CONFORM TO THE ZONING OF COMMUNITY COMMERCIAL IF THE ZONING IS CHANGED. COUNCILMAN ETHERIDGE ASKED IF THE OAKWOOD SUBDIVISION WAS BEHIND THIS PROPERTY AND ARE THERE ANY HOMES THERE. MR. JIROUSEK SAID THAT OAKWOOD SUBDIVISION WAS BEHIND THE PROPERTY AND HOMES DID BACK UP TO BOTH SUBJECT PROPERTIES. MR. JIROUSEK SAID ANY REDEVELOPMENT TO THE SITE WOULD HAVE TO ADHERE TO THE BUFFERS AND THE BUFFERS WOULD HAVE TO BE MAINTAINED ACCORDING TO THE USE. COUNCILMAN SAULS ASKED IF THE PROPERTY OWNERS WERE NOTIFIED. MR. JIROUSEK SAID THEY WERE ALL SENT LETTERS, THE PROPERTY WAS POSTED AND THE PUBLIC HEARING WAS ADVERTISED IN THE NEWSPAPER. VICE CHAIRMAN GREGORY ASKED IF THE LETTERS WERE SENT CERTIFIED TO MAKE SURE THE RESIDENTS RECEIVED THEM. MR. JIROUSEK RESPONDED THAT THE LETTERS WERE SENT BY REGULAR MAIL. VICE CHAIRMAN GREGORY SAID HE FELT THE STAFF SHOULD GO TO THE AREA AND EXPLAIN WHAT IS BEING REQUESTED SO THEY CAN UNDERSTAND IF THE CHANGE IS GOING TO AFFECT THEM. VICE CHAIRMAN GREGORY ASKED WHY IT WAS SO IMPORTANT TO CHANGE THE ZONING. MR. JIROUSEK EXPLAINED THAT THE OWNERS CANNOT EXPAND THE BUILDING OR BUILD A RESIDENCE BASED ON THE CURRENT ZONING. COUNCILMAN DRAYTON EXPLAINED THAT 300 FEET OF THE PROPERTY WAS ZONED COMMERCIAL AND THE BALANCE WAS ZONED RESIDENTIAL. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2ND READING OF THE ORDINANCE TO AMEND THE OFFICIAL

ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PROPERTIES BEARING JASPER COUNTY TAX MAP NUMBERS 038-05-00-003 AND 038-05-00-004 AND GENERALLY LOCATED ON SPEEDWAY BOULEVARD FROM THE COMMUNITY COMMERCIAL AND RESIDENTIAL SPLIT ZONE TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 1st READING OF THE ORDINANCE TO AMEND THE ZONING ORDINANCE OF JASPER COUNTY, SOUTH CAROLINA SO AS TO PROVIDE FOR CERTAIN INCENTIVES FOR AFFORDABLE HOUSING; PROVIDE A DEFINITION OF AFFORDABLE HOUSING; AND TO ADOPT SECTION 3:6.2 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO PROVIDE FOR REFUND OF CERTAIN FEES FOR AFFORDABLE HOUSING –MR. JIROUSEK EXPLAINED THAT THE PLANNING COMMISSION HAS NOT GIVEN A FINAL RECOMMENDATION ON THIS AND THEY HAVE EXPRESSED CONCERNS. MR. JIROUSEK SAID ONE OF THE CONCERNS WAS THAT THIS ORDINANCE ADDRESSED INCENTIVES FOR THE DEVELOPER, BUT THEY FELT ANYONE WHO MET THE CRITERIA SHOULD BE GIVEN THE SAME INCENTIVES. COUNCILMAN SAULS ASKED IF THE CONCESSIONS WOULD GO TO THE BUILDER OR THE FAMILIES. MR. JIROUSEK SAID THAT THE INCENTIVES WOULD BE REMIBURSED TO THE DEVELOPER AS AN INCENTIVE TO BUILD AFFORDABLE HOUSING. COUNCILMAN SAULS SAID THE END USER WOULD ONLY BE GETTING THE BENEFITS THAT THE DEVELOPER PASSED ON TO THEM. COUNCILMAN SAULS ASKED IF THE COUNTY COUNCIL WOULD DECIDE WHO GETS CONSIDERATION AND MR. JIROUSEK SAID THE COUNTY COUNCIL WOULD HAVE THE FINAL APPROVAL. COUNCILMAN SAULS ASKED IF THERE WERE SPECIFIC GUIDELINES TO BASE A DECISION UPON. MR. JIROUSEK SAID THERE WERE. COUNCILMAN SAULS SAID AFFORDABLE HOUSING WAS GREATLY NEEDED IN THESE TRYING TIMES. COUNCILMAN SAULS SAID HE FELT THE COUNCIL NEEDED TO WORK ON THIS TO HELP THE DISADVANTAGED CITIZENS IN THE COUNTY. COUNCILMAN SAULS SAID HE FELT IT WAS A DUTY OF THE COUNCIL TO MAKE AFFORDABLE HOUSING AVAILABLE; HOWEVER, HE WANTS TO MAKE SURE THAT THOSE CITIZENS WILL RECEIVE THE BENEFITS. COUNCILMAN ETHERIDGE ASKED IF A CITIZEN WHO QUALIFIED FOR AFFORDABLE HOUSING BUILT HIS OWN HOME, COULD THAT PERSON GET THE SAME BENEFITS AS A DEVELOPER. MR. JIROUSEK SAID THE ORIGINAL INTENT OF THE ORDINANCE WAS FOCUSED ON THE DEVELOPER, BUT THE ORDINANCE DOES STATE ANY PERSON WOULD BE ENTITLED TO MAKE APPLICATION. MR. JIROUSEK SAID SECTIONS IN THE ORDINANCES NEEDED TO BE WORKED ON TO MAKE SURE THAT COULD HAPPEN. COUNCILMAN DRAYTON ASKED WHAT THE PLANNING COMMISSION RECOMMENDED. MR. JIROUSEK SAID THEY REQUESTED THAT THE SECTION REGARDING INDIVIDUALS BE CHANGED SO THEY WOULD GET THE SAME BENEFITS AS DEVELOPERS. COUNCILMAN DRAYTON SAID HE DID NOT THINK THE COUNCIL SHOULD TAKE ACTION UNTIL THEY RECEIVE THE RECOMMENDATION FROM THE PLANNING

COMMISSION. COUNCILMAN DRAYTON SAID THE COUNCIL NEEDS TO MAKE SURE THE ORDINANCE IS DONE RIGHT. VICE CHAIRMAN GREGORY ASKED ABOUT PERMITTING FEES. MR. JIROUSEK SAID THAT ANY PERMIT FOR AFFORDABLE HOUSING THAT APPLIES AFTER THE ORDINANCE IS PASSED CAN APPLY; MR. JIROUSEK SAID IT WOULD NOT BE RETROACTIVE. MR. JIROUSEK SAID THAT HE HAD SCHEDULED A PUBLIC HEARING FOR THIS ORDINANCE. VICE CHAIRMAN GREGORY SAID IF COUNCIL DENIES THIS A PUBLIC HEARING IS NOT NEEDED. ATTORNEY JONES SAID THE PUBLIC HEARING WOULD NEED TO BE RESCHEDULE OR CANCELLED BASED ON THE DECISION OF THE COUNCIL. COUNCILMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION TO TABLE THIS ORDINANCE UNTIL THE COUNCIL RECEIVES A RECOMMENDATION FROM THE PLANNING COMMISSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS – THERE WERE NO RESOLUTIONS.

OLD BUSINESS – THERE WAS NO OLD BUSINESS.

NEW BUSINESS

DAVID JIROUSEK – APPOINTMENT OF MEMBER TO THE PLANNING COMMISSION – MR. JIROUSEK SAID THAT DUE TO THE RESIGNATION OF COUNCILMAN DRAYTON FROM THE PLANNING COMMISSION A NEW MEMBER NEEDED TO BE APPOINTED. MR. JIROUSEK SAID THE COUNCIL RECEIVED SIX APPLICATIONS FOR THIS POSITION. COUNCILMAN DRAYTON MOTIONED AND COUNCILMAN SAULS SECONDED THE MOTION TO NOMINATE DON KNOWLES. COUNCILMAN ETHERIDGE NOMINATED WILLIAM YOUNG. CHAIRMAN BLACKSHEAR SAID THAT COUNCILMAN ETHERIDGE COULD MAKE HIS NOMINATION AFTER THE COUNCIL VOTED ON THE MOTION ON THE FLOOR. CHAIRMAN BLACKSHEAR CALLED FOR A VOTE. COUNCILMAN DRAYTON, COUNCILMAN SAULS AND VICE CHAIRMAN GREGORY VOTED FOR MR. KNOWLES. COUNCILMAN ETHERIDGE AND CHAIRMAN BLACKSHEAR DID NOT VOTE. CHAIRMAN BLACKSHEAR TOLD COUNCILMAN ETHERIDGE HE COULD MAKE HIS NOMINATION. COUNCILMAN ETHERIDGE SAID WHY NOMINATE SOMEONE WHEN MR KNOLLS WAS ALREADY ELECTED. COUNCILMAN SAULS ASKED IF IT WAS APPROPRIATE FOR MR. KNOWLES TO SPEAK AT THIS TIME. CHAIRMAN BLACKSHEAR SAID THAT MR. KNOWLES CAN SPEAK DURING THE TIME WHEN THE FLOOR IS OPEN TO THE PUBLIC.

ANDREW FULGHUM – APPOINTMENT OF MEMBER TO THE LOWCOUNTRY ECONOMIC ALLIANCE – MR. FULGHUM EXPLAINED THAT THERE WAS A COUNCIL MEMBER OPENING ON THE BOARD AND HE RECOMMENDED THAT THE COUNCIL DISCUSS THE POSITION AT THEIR RETREAT AND DECIDE WHO WOULD BE APPOINTED TO SERVE.

DAVID JIROUSEK – APPROVAL OF STORMWATER PROJECT CONTRACT- MR. JIROUSEK EXPLAINED THAT TWO FIRMS BID ON THE

PROJECT AND THEY BOTH BID \$55,000. MR. JIROUSEK SAID THE BIDS WERE REVIEWED BY A FIVE MEMBER SELECTION COMMITTEE. MR. JIROUSEK ASKED THE COUNCIL TO APPROVE THE BID FROM THOMAS AND HUTTON AND TO AUTHORIZE THE ADMINISTRATOR TO ENTER INTO A CONTRACT NOT TO EXCEED \$55,000. MR. JIROUSEK SAID THERE WERE ACTUALLY TWO CONTRACTS: ONE FOR \$45,000 AND ONE FOR \$10,000. COUNCILMAN DRAYTON ASKED IF THE \$2,500 FROM THE COUNTY COVERED BOTH CONTRACTS. MR. JIROUSEK SAID IT DID. COUNCILMAN ETHERDIGE ASKED WHO THE MEMBERS OF THE SELECTION COMMITTEE WERE. MR. JIROUSEK SAID THAT GREG RUSHING, BILL YOUNG, DICK STEWART, DR. CHRIS MARSH AND HIMSELF WERE THE COMMITTEE MEMBERS. COUNCILMAN SAULS ASKED IF ONCE THIS IS DESIGNED WILL THE COUNTY HAVE THE MONEY TO IMPLEMENT IT. MR. JIROUSEK SAID IT IS FOR A CLEAR ORDINANCE AND A DESIGN MANUAL FOR PLAN REVIEW AND SITE INSPECTIONS. MR. JIROUSEK SAID THE COUNTY WOULD STILL OUTSOURCE THE SERVICES. COUNCILMAN SAULS ASKED IF THE COUNTY CAN APPLY FOR MORE GRANTS FOR ANY EXPENSES INCURRED BY THIS PLAN. MR. JIROUSEK SAID IT WAS A STAND ALONE ORDINANCE AND MANUAL AND THERE WOULD NOT BE ANY FUTURE EXPENSES. MR. JIROUSEK SAID THE COUNTY WOULD COLLECT A FEE AT THE TIME DEVELOPMENT PERMITS ARE ISSUED. MR. JIROUSEK SAID THAT THERE WILL BE TRAINING INVOLVED TO ISSUE VIOLATIONS. COUNCILMAN SAULS MOTIONED AND VICE CHAIRMAN GREGORY SECONDED THE MOTION TO APPROVE THE TWO CONTRACTS AND TO AUTHORIZE THE ADMINISTRATOR TO ENTER A CONTRACT NOT TO EXCEED \$45,000 AND A CONTRACT NOT TO EXCEED \$10,000 AND THE CONTRACTS ARE TO BE PAID FROM THE \$40,000 EPA 319 GRANT PROGRAM, 10,000 FOR THE LOWCOUNTRY INSTITUTE AND \$2,500 FROM THE COUNTY'S GRANT MATCHING FUND. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RICHARD POLLINS REMOVAL OF HOUSE ON THIRD AVE –MR. POLLINS ASKED WHY HIS NAME WAS NOT ON THE AGENDA AND CHAIRMAN BLACKSHEAR SAID THAT HE AGREED FOR MR. POLLINS TO APPEAR BEFORE COUNCIL, HOWEVER, THE AGENDA'S HAD ALREADY GONE OUT. MR. POLLINS EXPLAINED THAT HE WAS ONE OF THE ORIGINAL INDIVIDUALS WHO WANTED TO PURCHASE THE HOUSE ON 3RD AVE. THAT THE COUNTY WANTED MOVED. MR. POLLINS SAID ORIGINALLY IT WAS AWARDED TO THE OTHER INDIVIDUAL, BUT WHEN SHE COULD NOT COMPLETE THE TRANSACTION HE CAME BACK AGAIN ABOUT THE HOUSE. MR. POLLINS SAID HE WAS TOLD TO SIGN A WRITTEN LETTER STATING HE WANTED THE HOUSE AND GIVE IT TO CHRISTY HERMAN AND MS. HERMAN SAID SHE WOULD NOTIFY HIM IN TWO WEEKS ABOUT THE HOUSE. MR. POLLINS SAID HE WAS REFERRED TO IN THE NEWSPAPER AS RICHARD POLLIN AND IN THE SECOND ARTICLE HE WAS CALLED THE MAN FROM TILLMAN. MR. POLLIN SAID HE SENT A LETTER TO COUNCIL STATING HE WANTED THE HOUSE SINCE THEY WERE GOING TO GIVE IT AWAY. MR. POLLINS SAID HE WAS GOING TO TAKE THE ROOF OFF OF THE HOUSE SO THE POWER LINES DID NOT HAVE TO BE LIFTED. MR. POLLIN SAID THE COUNTY COUNCIL DID

NOT HAVE THE DECENCY TO HAVE MS. HERMAN SEND A LETTER BACK TO HIM. MR. POLLINS SAID HE FELT HE HAD A RIGHT TO THE HOUSE, BUT HE WAS TOLD THE COUNTY COULD NOT GIVE IT AWAY AND THEN HE READ IN THE NEWSPAPER THAT THE COUNTY DID GIVE IT AWAY AND HE WANTED TO KNOW HOW THE COUNCIL WAS GOING TO HANDLE THIS SITUATION. VICE CHAIRMAN GREGORY SAID HE NEVER RECEIVED A LETTER FROM MR. POLLIN STATING WHAT HE PLANNED TO DO. MR. POLLIN SAID THE COUNCIL SHOULD HAVE RECEIVED THE LETTER FROM HIM AS HE GAVE IT TO MS. HERMAN FOR COUNCIL. VICE CHAIRMAN GREGORY ASKED THE CLERK IF SHE RECEIVED THE LETTER FROM MS. HERMAN AND THE CLERK RESPONDED SHE DID NOT RECEIVE MR. POLLINS' LETTER FROM MS. HERMAN. MR. POLLINS SAID HE WANTED A DATE WHEN THE COUNCIL WOULD RESPOND TO HIS LETTER. CHAIRMAN BLACKSHEAR STATED THAT THE COUNCIL CANNOT GIVE MR. POLLIN A DATE, BUT THE COUNCIL WILL GET BACK TO HIM. CHAIRMAN BLACKSHEAR SAID THE COUNCIL DID NOT PUT MR. POLLINS' NAME OR CALL HIM THE MAN FROM TILLMAN IN THE NEWSPAPER AND THE NEWSPAPER DOES NOT ALWAYS PRINT THINGS CORRECTLY. MR. POLLINS SAID HE WANTED A DATE WHEN HE WOULD GET A RESPONSE FROM COUNCIL. VICE CHAIRMAN GREGORY ASKED IF IT IS CORRECT FOR THE COUNCIL TO GIVE A DATE AND MR. JONES STATED THAT THERE IS NO TIME LIMIT ON HOW MUCH TIME THE COUNCIL HAS TO RESPOND TO MR. POLLINS REQUEST. MR. POLLINS SUPPLIED HIS PHONE NUMBER AS 726-6354, HIS ADDRESS AS P.O. BOX 71, TILLMAN SC, 29943. CHAIRMAN BLACKSHEAR SAID THE COUNCIL WOULD GET BACK TO HIM AS SOON AS POSSIBLE. MR. POLLINS SAID HE WANTED A DATE. CHAIRMAN BLACKSHEAR TOLD MR. POLLINS THE COUNCIL WOULD GET BACK TO HIM WITHIN 6 MONTHS.

COMMITTEE REPORTS – COUNCILMAN SAULS REPORTED ON THE MEETING OF THE SAVANNAH RIVER MARITIME COMMISSION AND HE STRESSED THE IMPORTANCE OF THE PORT TO THE AREA AND THE STATE. COUNCILMAN SAULS SAID THAT DEAN MOSS IS THE BEST CHAIRMAN POSSIBLE. COUNCILMAN SAULS ASKED THAT THE CITIZENS CONTACT THE LEGISLATURE AND ASK THEM TO WORK TOGETHER AS A GROUP FOR IMPORTANT ITEMS LIKE THE PORT.

ADMINISTRATOR'S REPORT – MR. FULGHUM ANNOUNCED THAT THE STATE OF THE COUNTY ADDRESS WAS ON JANUARY 20, 2011 AT 8:30 A.M. AT THE PALMETTO ELECTRIC BUILDING IN HARDEEVILLE. MR. FULGHUM SAID HE WOULD PROVIDE THE COUNCIL WITH A LIST OF ALL THE GRANTS THAT WERE AWARDED AND THE GRANTS THAT WERE APPLIED FOR AND DENIED. MR. FULGHUM INFORMED THE COUNCIL THE CANADA SMITH SERVED AS THE ECONOMIC AMBASSADOR FOR JASPER COUNTY FOR THE PAST YEAR AND HIS SUCCESSOR IS MR. PETER BUONAIUTO, PRESIDENT & CEO OF YELLOW MARKETING.

MR. FULGHUM REQUESTED PERMISSION TO GO BEFORE THE TRANSPORTATION COMMITTEE FOR FUNDING. MR. TERRY EXPLAINED THAT HE WOULD LIKE TO REQUEST FUNDING FROM THE TRANSPORTATION COMMITTEE FOR A TURNAROUND AND PARKING AREA FOR A PROPOSED FISHING PIER AT KNOWLES ISLAND. MR. TERRY SAID HE HAD THE PERMITS TO MOVE FORWARD, BUT NOT THE FUNDING. COUNCILMAN SAULS ASKED IF THE RESIDENTS WERE IN FAVOR OF THE FISHING PIER. MR. TERRY SAID HE PLANNED TO MEET WITH THE COMMUNITY TO MAKE SURE THEY UNDERSTOOD WHAT WAS BEING PLANNED. VICE CHAIRMAN GREGORY SAID HE WAS FROM THAT AREA AND THE PEOPLE HAVE MET AND THEY ARE IN AGREEMENT TO OPEN THE PIER TO THE PUBLIC AND THE COUNCIL NEEDS TO DO WHAT IS NEEDED TO MAKE IT HAPPEN. MR. TERRY SAID HE WOULD LIKE TO TAKE THE COUNCIL MEMBERS TO THE AREA AND EXPLAIN WHAT IS PROPOSED. COUNCILMAN ETHERIDGE ASKED IF THE REQUEST WAS JUST FOR A PARKING AREA AND A TURN AROUND, NOT TO PAVE THE ROAD TO THE PIER. MR. TERRY RESPONDED THE REQUEST WOULD BE FOR THE PARKING AREA AND THE TURNAROUND. MR. TERRY SAID THAT CURRENTLY THERE IS ONLY ONE PUBLIC FISHING PIER IN THE COUNTY AND IT IS LOCATED AT BOLAN HALL. VICE CHAIRMAN GREGORY ASKED IF HE HAD A DRAWING OF WHAT THEY PLANNED TO DO. MR. TERRY SAID THEY HAD A SKETCH. COUNCILMAN SAULS ASKED IF THE AREA WILL HAVE LIGHTS. MR. TERRY RESPONDED LIGHTING IS NOT IN THE CURRENT PLANS. MR. TERRY SAID THE CURRENT PLAN FOR THE PIER IS AN ALUMINUM DECK ON THE EXISTING PILINGS. MR. TERRY SAID HE WAS WORKING ON THE COST AND WILL REPORT BACK AT THE NEXT COUNCIL MEETING. MR. DALEY SAID THAT THE FUNDING FOR ROAD SIGNAGE HAS BEEN EXHAUSTED AND HE REQUESTED TO GO THE TRANSPORTATION COMMITTEE TO REQUEST FUNDS FOR ADDITIONAL ROAD SIGNS. MR. DALEY SAID THAT CURRENTLY THERE ARE ABOUT 50 SIGNS MISSING AND THEY DO NOT HAVE THE FUNDS TO REPLACE THE SIGNS. COUNCILMAN DRAYTON ASKED IF THE PEOPLE PAY FOR THE SIGNS. MR. DALEY SAID THE COUNTY PAYS TO REPLACE THE SIGNS. COUNCILMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION TO APPROVE MR. TERRY AND MR. DALEY'S REQUESTS TO GO TO THE TRANSPORTATION COMMITTEE TO REQUEST FUNDING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RONNIE MALPHRUS EXPLAINED THAT THE COUNTY'S BOND ATTORNEY CONTACTED HIM REGARDING THE RESOLUTION THE COUNCIL PASSED THAT INCLUDED A 6 MONTH CALL ON THE FINANCING OF THE COURTHOUSE BANS. MR. MALPHRUS SAID THE ATTORNEY FEELS THEY WILL GET A BETTER RATE WITHOUT THE 6 MONTH CALL AND REQUESTED THAT IT BE REMOVED. MR. MALPHRUS EXPLAINED THAT INVESTORS DO NOT LOOK FAVORABLY AT THE BANS WITH THE 6 MONTH CALL. MR. MALPHRUS EXPLAINED THAT THE BANS CAN BE PAID OFF AT ANYTIME EVEN WITHOUT THE 6 MONTH CALL. VICE CHAIRMAN GREGORY ASKED WHY IT NEEDED TO BE REMOVED IF IT WAS NOT A PROBLEM AS TO WHEN THE BANS COULD BE PAID OFF. MR. MALPHRUS SAID INVESTOR'S DO NOT LIKE A NOTE THAT CAN BE PAID OFF IN 6 MONTHS, BUT THE COUNTY CAN PAY IT OFF

WHENEVER THEY CHOOSE AND HE DID NOT SEE A PROBLEM REMOVING THE SIX MONTH CALL AND THEY WOULD GET A BETTER INTEREST RATE IF IT WAS REMOVED. COUNCILMAN ETHERIDGE ASKED IF THERE WOULD BE A PENALTY IF THE NOTE WAS PAID OFF EARLY. MR. MALPHRUS SAID THERE WOULD NOT BE A PENALTY, BUT IF THE BONDED OUT 90 DAYS PRIOR TO RENEWAL, THE INTEREST WOULD HAVE TO BE PAID FOR THE 90 DAYS. COUNCILMAN ETHERIDGE ASKED WHEN THE OTHER BONDS WERE COMING DUE AND MR. MALPHRUS SAID THEY WERE DUE IN JULY. MR. MALPHRUS SAID THAT CURRENTLY THE BOND ATTORNEY WAS LOOKING AT TWO SEPARATE ISSUES. VICE CHAIRMAN GREGORY SAID THE COUNTY WOULD HAVE TO PAY A PENALTY AND MR. MALPHRUS SAID NOT A PENALTY, BUT THE INTEREST AND IT WAS BETTER TO TAKE THE LOWER RATE AND PAY THE INTEREST. COUNCILMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO REMOVE THE 3 MONTH CALL. THE MOTION CARRIED WITH COUNCILMEN DRAYTON, ETHERIDGE AND SAULS AND CHAIRMAN BLACKSHEAR VOTING FOR. VICE CHAIRMAN GREGORY VOTED AGAINST.

OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER INDIVIDUAL) – CHAIRMAN BLACKSHEAR OPENED THE FLOOR TO THE PUBLIC. DON KNOWLES DISCUSSED THE INCREASE OF HOME OWNERS' INSURANCE DUE TO THE CHANGE IN THE ISO RATINGS. MR. KNOWLES ALSO THANKED THE COUNCIL FOR APPOINTING HIM TO THE PLANNING COMMISSION. MR. KNOWLES SAID THAT HE RETURNED HOME AFTER SERVING HIS COUNTRY AND NOW HE IS HAPPY TO BE ABLE TO SERVE HIS COUNTY.

KIM THOMAS COMMENTED ON THE KNOWLES ISLAND TRESTLE AND REMINDED THE COUNCIL THAT THE KNOWLES ISLAND HOMEOWNERS PRESENTED A PLAN TO COUNCIL FOR THE TRESTLE AND THAT PERHAPS THE POA COULD RESUBMIT THOSE PLANS. MS. THOMAS ADDED THAT DUE TO THE HISTORICAL IMPORTANTANCE TO THAT AREA THAT THE HISTORICAL SOCIETY MAY BE ABLE TO GET GRANT FUNDING FOR THE PROJECT.

ADAM GOLDSTEIN INTRODUCED HIMSELF TO THE COUNCIL AS THE DEVELOPER OF THE PROJECTED AFFORDABLE HOUSING PROJECT IN HARDEEVILLE. MR. GOLDSTEIN SAID HE WOULD BE HAPPY TO MEET WITH COUNCIL AND ANSWER ANY QUESTIONS.

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

EXECUTIVE SESSION

DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY, THE RECEIPT OF LEGAL ADVICE WHERE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM - **CONTRACTUAL**

MATTERS BETWEEN JASPER COUNTY AND CLOUGH HARBOR ASSOCIATES (CHA) AND THE FIRTH PROPERTY – COUNCILMAN SAULS MOTIONED AND VICE CHAIRMAN GREGORY SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY, THE RECEIPT OF LEGAL ADVICE WHERE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM - CONTRACTUAL MATTERS BETWEEN JASPER COUNTY AND CLOUGH HARBOR ASSOCIATES (CHA) AND THE FIRTH PROPERTY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO OPEN SESSION – COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN GREGORY SECONDED THE MOTION TO RETURN TO OPEN SESSION.

CHAIRMAN BLACKSHEAR SAID THE COUNCIL DISCUSSED THE FIRTH PROPERTY AND CONTRACTUAL MATTERS.

COUNCILMAN DRAYTON MOTIONED AND COUNCILMAN SAULS SECONDED THE MOTION THAT THE ADMINISTRATOR CONTACT CLOUGH HARBOR ASSOCIATES AND DEMAND THAT FINAL DELIVERABLE PRODUCT BE PRODUCED WITHIN 60 DAYS OR INSTITUTE LITIGATION FOR BREACH OF CONTRACT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURN - VICE CHAIRMAN GREGORY MOTIONED AND COUNCILMAN SAULS SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 10:10 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

LEROY BLACKSHEAR
CHAIRMAN