



**JASPER COUNTY COUNCIL
358 THIRD AVE., RIDGELAND SC. 29936**

**COUNCIL CHAMBERS
JANUARY 22, 2013
MINUTES**

Officials Present: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman Johnson, Councilman L. Martin Sauls, IV

Staff Present: Administrator Andrew Fulghum, Deputy Administrator Dr. George Hood, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus.

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 Etheridge called the meeting to order at 6:00 p.m.

Executive Session - Discussion Of 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 – [Lowcountry Biomass And](#) Discussion Of Negotiations Incident To Proposed Contract Arrangements And Proposed Purchase Or Sale Of Property, Receipt Of Legal Advice Where The 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 – [Turpin Park – Ridgeland Airport – Lobbying Services And](#) Discussion Of Employment, Appointment, Compensation, Promotion, Demotion, Discipline, Or Release Of An Employee, A Student, Or A Person Regulated By A Public Body Or The Appointment Of A Person To A Public Body; However, If An Adversary Hearing Involving An Employee Or Client Is Held, The Employee Or Client Has The Right To Demand That The Hearing Be Conducted Publicly Nothing, Contained In This Item Shall Prevent The Public Body, In Its Discretion, From Deleting The Names Of Other Employees Or Clients Whose Records Are Submitted For Use At The Hearing – [Personnel Matters –ROD Office –](#) Councilman Sauls motioned and Councilman Johnson seconded the motion to go into executive session for discussion of 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 – [Lowcountry Biomass and](#) discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the 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 – [Turpin Park – Ridgeland Airport – Lobbying Services and](#) discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving an employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly nothing, contained in this item shall prevent the public body, in its discretion, from deleting the names of other employees or clients whose records are

submitted for use at the hearing – [personnel matters –ROD office](#). The motion carried with all members present voting in favor.

Return to Open Session: Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion to return to open session. The motion carried with all members present voting in favor.

Officials Present: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman Johnson, Councilman L. Martin Sauls, IV

Staff Present: Administrator Andrew Fulghum, Deputy Administrator Dr. George Hood, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Engineering Services Dale Terry, Director of Emergency Services Wilbur Daley, Assessor Susan Waite, HR Director Gloria Lucas, Detention Center Director Arthur Benjamin

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 Etheridge called the meeting back to order at 7:00 p.m.

Pledge of Allegiance – Chairman Etheridge led the Pledge of Allegiance.

Invocation- Vice Chairwoman Clark gave the invocation.

Approval of the Agenda- Councilman Sauls motioned Vice Chairwoman Clark seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

Approval of the minutes of 1/07/13, 1/11/13, 1/14/13 – Vice Chairwoman Clark motioned and Councilman Sauls seconded the motion to approve the minutes of 1/07/13, 1/11/13, 1/14/13. The motion carried with all members present voting in favor.

Presentations

Sheriff Jenkins – Update on Sheriff’s Cars - Sheriff Jenkins provided the council with a hand out and explained the number and type of vehicles purchased. Sheriff Jenkins said a new van had to be purchased for animal control due to the old one being in an accident. Sheriff Jenkins said that there was a balance of \$40,199.51 remaining and one additional vehicle needs to be purchased. Councilman Saul said the officers were doing a good job and they even stepped up patrolling the interstate. Councilman Drayton asked about buying a van due to an accident and Sheriff Jenkins said all the money was to go towards new cars, however, the van needed to be replaced. Chairman Etheridge asked how much money has been collected to cover the purchase of the cars. The Sheriff said he did not have an exact number and there were no officers assigned primarily for traffic patrol as they run to calls first. Sheriff said that as of July 31, 2012, 458 tickets were written.

Gene Hood – Public Defender’s Budget – Mr. Hood explained that the Public Defender’s Office is out of money. He explained that Beaufort County handles the funds since they went circuit wide and all the employees are employees of Beaufort County. Mr. Hood said there always has been a shortfall and Beaufort County paid all the bills including the shortfall. Mr. Hood said the Beaufort County is no longer

doing it and it costs \$163,401.35 to operate the Public Defender's Office in Jasper County and Jasper County only provides \$41,000. Mr. Hood said approximately 465 cases are handled for Jasper County. Mr. Hood said if funding is not increased, then some services will have to be cut. Mr. Hood said that the requested funds for his office cover the costs for 1/3 of an administrative assistant and 3 attorneys. Chairman Etheridge said the Council will consider his request and asked that an accounting of how the funds have been spent that were provided.

Ordinance

LeNolon Edge- 3rd Reading of the Ordinance to Amend the Official Zoning Map Of Jasper County so as to Transfer Property Bearing Jasper County Tax Map Number 038-00-02-002 Located at the Intersection of Speedway Blvd. and Alligator Alley from the Community Commercial to the Rural Preservation Zone on the Jasper County Official Zoning Map – Mr. Edge explained that this is the 3rd reading of the ordinance and that no changes were made. Mr. Edge explained that the reference property is in an area that has both community commercial and rural preservation zoning. Mr. Edge said the zoning change would only be for Jasper County Tax Map Number 038-00-02-002. Councilman Sauls motioned and Councilman Drayton seconded the motion that this be the 3rd Reading of the Ordinance to Amend the Official Zoning Map of Jasper County so as to Transfer Property Bearing Jasper County Tax Map Number 038-00-02-002 Located at the Intersection of Speedway Blvd. and Alligator Alley from the Community Commercial to the Rural Preservation Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

Resolution-

Ronnie Malphrus – Resolution Authorizing BAN for the School District Project – Mr. Malphrus explained that the school district requested additional funds back in 2006 for the new schools and the County agreed to an additional \$11,000,000 and they did a BAN and a special source revenue bond. Mr. Malphrus said this is paid for from the School Districts share of the SCANA FILOT. Mr. Malphrus said they have been paying on this since 2006 and it has be a 1 year BAN that is renewed annually. Mr. Malphrus said the current balance is about \$5,500,000 and they are actually about 5 years ahead on paying the note. Mr. Malphrus said the BAN is due in Feb. and they are at the point now bond out the entire amount not to exceed \$7,300,000. Mr. Malphrus said a BAN would be done, but everything would be bonded out on a permanent basis in August and it would be paid off in 2026. Councilman Sauls asked if the SCANA money would cover the payments and Mr. Malphrus said that it would. Mr. Malphrus said the School's portion will be send to the paying agent. Councilman Sauls asked if anything would be added on and Mr. Malphrus said that nothing can be added without Council's approval. Mr. Malphrus said this debt is not listed as County Debt due to the School District pledging the revenue from the SCANA FILOT. Councilman Sauls asked about the interest rate and Mr. Malphrus said 4-5%. Councilman Sauls asked why change what they are doing and Mr. Malphrus said the SCANA money is on a declining schedule and it would be hard to pay it off at the same rate. Councilman Drayton asked if these funds were used to build the Hardeeville School and Mr. Malphrus responded that they were. Chairman Etheridge asked if the whole amount received from SCANA each year was more than the payment would all the money be applied to the bond and Mr. Malphrus said it would, but due to the declining scale, they would not be able to pay it down as quickly. Councilman Drayton motioned and

Councilman Sauls seconded the motion to pass the Resolution Authorizing BAN for the School District Project. The motion carried with all members present voting in favor.

Old Business - None

New Business - Andrew Fulghum – Professional Service Contract Proposal for Ridgeland Airport - Mr. Fulghum presented a proposal from the LPA Group for property acquisition. Mr. Fulghum explained that the LPA group proposal is for a lump fee of \$72,700.25. Mr. Fulghum said the LPA Group has proposed to complete several tasks for property option acquisitions. Mr. Fulghum said the FAA will not contribute to this effort; however Mr. Fulghum will be requesting that the State Aeronautics Commission grant the County 60% of the total cost of the professional services and that the County would be responsible for 40%. Mr. Fulghum said the County's portion would be \$29,080.30. Mr. Fulghum requested that the Council approve the professional services proposal from the LPA Group in the amount of \$72,700.25 to complete the property option acquisition for the Ridgeland Airport and that it be paid from the Commercial Development Fund and to authorize the staff to apply and accept from the State Aeronautic Commission an amount equal to 60% of the cost of the professional services (43,630.45) to be applied towards payment for the professional services. Councilman Sauls motioned and Councilman Drayton seconded the motion to approve the professional services proposal from the LPA Group in the amount of \$72,700.25 to complete the property option acquisition for the Ridgeland Airport and that it be paid from the Commercial Development Fund and to authorize the staff to apply and accept from the State Aeronautic Commission an amount equal to 60% of the cost of the professional services (\$43,630.45) to be applied towards payment for the professional services. Councilman Johnson asked if this was contingent upon getting the grant and Mr. Fulghum said that would be up to the council and there is an application, however, he will not find out until February. Councilman Sauls said the project is for the enhancement of the Ridgeland Airport. Vice Chairwoman Clark noted that the realignment is of significant value and it will take the planes away from coming across the schools. Chairman Etheridge said this is the beginning and the FAA will pay 90% and the County has to do their homework. The motion carried with all members present voting in favor.

Andrew Fulghum – MOU Between Jasper County and LowCountry Biomass, LLC – Mr. Fulghum explained that LowCountry Biomass, LLC was expanding their facility and creating an additional 14 job. Mr. Fulghum told the Council that LowCountry Bio Mass, LLC was investing \$33,000,000 and they were seeking a FILOT agreement with the County whereby the County agrees to reduce the company's assessment ratio from 10.5% to 6%. Mr. Fulghum said that additionally the Company was seeking special revenue credits equal to property tax savings of \$2,000,000 over a 20 year period. Mr. Fulghum said the County would have to adopt two ordinances to agree to this agreement. Mr. Fulghum requested that the Council approve the MOU and authorize the administrator to sign it. Chairman Etheridge commented that the Town of Ridgeland and the County both must agree to the terms. Councilman Sauls motioned and Councilman Drayton seconded the motion to approve the MOU between Jasper County and LowCountry Biomass, LLC. The motion carried with all members present voting in favor.

Andrew Fulghum – Professional Service Contract – Architectural Services for the Health Department – Councilman Drayton motioned and Councilman Sauls seconded the motion that this item was tabled and the Professional Service Contract for Architectural Services for the Health Department was to go out for bid. The motion carried with all members present voting in favor.

Committee Reports – Councilman Sauls reported on the State of the County Breakfast and encouraged the public to attend. Chairman Etheridge said there was a misunderstanding about the school board using the council chambers for their meetings. It was the consensus of the Council that the school board may use the council chambers providing there is not a conflict with scheduling. Chairman Etheridge asked that the public contact the Council about any topics they wanted the Council to discuss on Jan. 29, 2013 at lobby day in Columbia. Chairman Etheridge said that the Council would be attending the SCAC conference on Feb. 20-21, 2013 in Columbia. Chairman Etheridge discussed the local government fund.

Administrator’s Report - Project Updates - Mr. Fulghum discussed the Charleston Business Report and a lobbying contract. Mr. Fulghum said that the County has not had a lobbyist and they needed to have representation. Mr. Fulghum presented a lobbying contract not to exceed \$10,000 on a retainer basis and it could be paid for from the commercial development account. Mr. Fulghum said the agreement was with John Felder Associates and the retainer was for \$2,500 and not to exceed \$10,000. Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion to approve the retainer with John Felder Associates and the retainer is for \$2,500 and not to exceed \$10,000. The motion carried with all members present voting in favor.

Dale Terry updated the Council on the Gray’s School and Nimmer Turf Road. Wilbur Daley updated the Council on the Firetower Road fire station and said that he was looking to have it completed in May. Councilman Sauls said that this has been a longtime coming and thanked the people who helped make it happen. Councilman Sauls said this was a huge step in lowering the insurance rates for the people in that area. Mr. Daley informed the Council that the Transportation Committee approved \$200,000 for the parking lot.

Open Floor To The Public –Per Ordinance 08-17 any citizen of the county may sign to speak before the council meeting on matters pertaining to county services and operations. Presentations will be limited to three (3) minutes (total public input will be limited to 30 minutes) Chairman Etheridge opened the floor to the public. **Rob McBrayer** – discussed the Charter School and invited the Council to visit the school. Dr. McBrayer said that everything at the school is pointing toward a better education for the children of Jasper County. **Brandi Freeman**, a board member of the Royal Live Oak Charter School, and invited the Council and the public to visit the school to see what is happening there. Ms. Freeman said the Charter School is enabling the students to learn more and to excel at their own pace. **Linda Davenport** commented that some of the Council will recall that she first brought up the issue of the council’s salaries and all county salaries relative to other counties in SC. Ms. Davenport asked that at a minimum freeze all salaries indefinitely and that vacancies not be filled, no matter the “purported critical” need with the exception of fire and police and that the county administration should be able to do more with less personnel as do businesses and other responsible governing bodies. Ms. Davenport said that the assistant county administrator was hired with a benefit package in excess of \$100,000 and

there was significant public opposition presented at council meetings and the former council disregarded the will of the people and filled the position. Ms. Davenport said that the public still wants to see spending cuts and this is a good place to start. Ms. Davenport said she applaud the council for taking this action to begin cutting expenses by defunding the position of assistant administrator. Ms. Davenport told Councilman Drayton, that he was wrong in saying this is a personal vendetta. Councilman Drayton said it was racist, a personal vendetta and racist. Ms. Davenport said it is a sound financial decision and that cutting all the council member's salaries by 1/3 would also be a sound financial decision that would give taxpayers the sense that you are serious about getting us on sound financial footing. Ms. Davenport told the Council that they pay themselves 60% more than what state legislators get paid. Ms. Davenport recommended that the county should freeze all salaries and review every expense and reduce spending by 5% across the board. Ms. Davenport said that frivolous expenses like your retreat should be eliminated. Ms. Davenport said that overtime should be abolished; nonessential travel and training should be eliminated; medical insurance costs should be shared 50/50 with county employees bearing half the cost. Ms. Davenport said the county budget should be less than \$15,000,000 based upon our population. Ms. Davenport said her suggested changes will save over \$3,000,000 and that could be used to pay down debt. Ms. Davenport commented that the 200 basis point increase in interest on the bond the council just approved will result in \$140,000 additional annual interest, which was conveniently omitted from earlier discussion. Ms. Davenport said it was time to think money and eliminate useless positions and do the work that needs to be done. Being no further comments Chairman Etheridge closed the floor to the public.

Adjourn – Vice Chairwoman Clark 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 8:40 p.m.

Respectfully Submitted By:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Henry Etheridge
Chairman