



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

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**COUNCIL CHAMBERS  
October 1, 2012, 4:00 P.M.  
Minutes**

**Officials Present:** Chairman Samuel Gregory, Vice Chairman Martin Sauls IV, Councilman Leroy Blackshear, Councilman Henry Etheridge, Councilman Theodus Drayton

**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, ROD Patsye Green, Director of Human Services Gloria Lucas, I-T Director Earl Bostick, Planning Director LeNolon Edge

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 Gregory called the meeting to order at 4:00 PM.

**Invocation:** Councilman Drayton gave the invocation.

**Pledge of Allegiance:** Chairman Gregory led the Pledge of Allegiance.

**Approval of the agenda –** Vice Chairman Sauls motioned and Councilman Etheridge the seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

**Proclamations and presentation –** None.

**Ordinance**

**Marvin Jones – 2<sup>nd</sup> Reading Of The Ordinance To Amend The Local Preference Section Of Ordinance 05-04 Purchase And Contract Ordinance To Eliminate The \$2,000 Maximum Addition To The Low Bidder –** Atty. Jones explained that he was asked to amend ordinance -05-04 and take away the \$2000 limit. Councilman Etheridge asked if there has been any change since the last meeting. Atty. Jones said there have not been any changes. Councilman Drayton asked Atty. Jones to explain the ordinance. Atty. Jones explained that the local preference applies to bidders within the county and allows for them to meet the lowest bid. Atty. Jones told the council that this ordinance would apply to all ranges of bids and includes a break point at \$10,000 and it does not cost the county any more, but benefits the local businesses. Atty. Jones said that the \$2000 minimum has been removed. Councilman Etheridge motioned and Councilman Drayton seconded the motion that this be the second reading of the ordinance to amend the local preference section of the ordinance 05 dash 04 purchase and contract ordinance to eliminate the \$2000 maximum addition to the low bidder. The motion carried with all members present voting in favor.

**Andrew Fulghum – 2<sup>nd</sup> Reading Of The Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Among Jasper County And Daniel Defense, Inc.-** Mr. Fulghum explained that the ordinance and the fee in lieu of tax agreement that was provided to the Council. Mr. Fulghum told the Council that the fee in lieu of tax agreement locks in the 2012 millage rate; it reduces the assessment to 6% percent, and grants special source revenue assessment of 6% on equipment. Mr. Fulghum said this ordinance is consistent all items previously approved. Mr. Fulghum explained that a few items need to be changed and he also had a question about the term of 20 years as the Daniel Defense Attorney proposes 30 years. Mr. Fulghum said of the term should be 20 years not 30 years. Mr. Fulghum requested that the Council carefully read page 16 section 5.8 B. Councilman Etheridge commented that the agreement states thirty years at the present millage. Mr. Fulghum responded that the millage would remain at 347 mills no matter how high the county mills are. Councilman Etheridge asked about the special source revenue credits. Mr. Fulghum explained that in a new deal, a new building would be granted 6%. Mr. Fulghum said it is harder to grant an existing building and agreeing to get the property and equipment to 6% and Mr. Fulghum said the qualifying property will also be taxed at 6% and nothing will be taxed below the 6% ratio. Councilman Drayton asked if the \$5.3 million should be changed \$5 million. Mr. Fulghum responded that it is inconsistent in the document and he felt that it needed to be changed to be consistent. Councilman Drayton asked what happens if they do not have as many employees as suggested. Mr. Fulghum responded that he had no indication that they were not going to meet the required number of employees; however, if the number of employees is not met, then the benefits would be reduced. Councilman Etheridge motioned and Vice Chairman Sauls seconded the motion that this be the second reading of the ordinance authorizing the execution and delivery of the fee in lieu of tax agreement by and among Jasper County and Daniel Defense, Inc. The motion carried with Chairman Samuel Gregory, Vice Chairman Martin Sauls IV, Councilman Henry Etheridge, and Councilman Theodus Drayton voting for; Councilman Blackshear voted against.

## **Resolutions**

**Ronnie Malphrus – Resolution to Renew the County Bond Anticipation Note –** Mr. Malphrus explained that last year the county bonded out the largest portion of the financing for this building and the Courthouse in a long term bond. Mr. Malphrus told the council that two BANS were issued and the BAN for \$1,200,000 is due in November. Mr. Malphrus explained that the county paid \$35,000 in interest on this BAN. Mr. Malphrus asked the council to renew this BAN for another year and to authorize up to \$2,000,000 and that if nothing changes the ban would be for \$1,240,000. Councilman Etheridge asked if they have applied enough debt service to take care of these bonds. Mr. Malphrus responded there was not enough at this time because they were told not to exceed 12 mills. Councilman Blackshear motioned and Vice Chairman Sauls seconded the motion to pass the resolution to renew the county's bond anticipation note in the amount up to \$2,000,000. The motion carried with all members present voting in favor.

**Old Business – None**

**New Business - Dale Terry – Approval of Bids for Rock -** Mr. Terry told the Council he received \$100,000 from the transportation committee for rocking roads in the county. Mr. Terry told the Council he received one bid in the amount of \$100,500 for J.R.Wilson. Mr. Terry asked for permission to

negotiate the \$500. Vice Chairman Sauls motioned and Councilman Etheridge seconded the motion to approve the bid of \$100,500 and for Mr. Terry to negotiate the extra \$500. The motion carried with all members present voting in favor.

**Committee Reports** – Councilman Etheridge reported that the Emergency Services Committee met and discussed the Fire Tower Fire Station. Councilman Etheridge said it was to go out for bid this week. Councilman Etheridge said collections were discussed and they were going to try and collect funds that are not currently being collected. Councilman Etheridge said that if there was not enough personnel they should hire someone part time, if they could collect more money to offset the cost of the additional part-time employee. Councilman Etheridge said that when the Council approved the raise for the employees he did not feel that the council should get the raise. Councilman Etheridge suggested that the council discuss returning their raise. Vice Chairman Sauls discussed the Chamber events including the South Carolina Alliance Business after Hours. Vice Chairman Sauls reminded the citizens that the Gopher Hill Festival was this week. Vice Chairman Sauls also reminded the citizen of the golf tournament sponsored by the Jasper County Chamber Of Commerce to raise money for scholarships for the students attending schools in Jasper County. Vice Chairman Sauls agreed with Councilman Etheridge concerning the raise that the Council received. Councilman Drayton said he would go along with Council regarding the pay raise. Councilmen Blackshear asked if there was any way to speed up the process on getting the bids for the Firetower Road Fire Station. Mr. Fulghum responded that they must follow the process. Councilman Blackshear asked how long the bids have to go out for. Mr. Fulghum commented that the bids go out for 30 days and it would be 60 days until construction is started. Mr. Blackshear suggested putting the bids out for two weeks. Mr. Malphrus said that part of the problem was they were working on the issues with the architect. Mr. Malphrus said the initial architectural work is done; the need was for the engineering work for the building. Mr. Malphrus said they were working on a way to handle all of it. Councilman Blackshear motioned and Vice Chairman Sauls seconded the motion to allow two weeks for the engineering work to be done. The motion carried with all members present voting in favor. Vice Chairman Sauls commented that he knew an individual who already had the plans and could be a turnkey building for \$197,000. Vice Chairman Sauls said he would provide Chief Daley with the contact information. Councilman Etheridge said he would take the part of the blame for the delay since the council wanted to build the station with volunteers and no one volunteered. Chairman Gregory said they were wasting times on bids and plans and that is why it is where it is today. Chairman Gregory said the Council Members can do as they please regarding the 3% raise, but the Council needed to do what they regarding EMS because there were too many high paying jobs and the people are just trying to ignore it. Chairman Gregory said the firemen are overpaid to sleep and wait on a fire. Chairman Gregory said if anybody's pay needs cut it is the EMS. Chairman Gregory said they department needs to be torn down and started all over, he added the facts are in the numbers.

**Administrator's Report-** Mr. Fulghum provided the Administrator's report and progress report in the council's packet for information. Mr. Fulghum updated the Council on the population growth in Jasper County and added that Jasper County is the 8<sup>th</sup> fastest growing county in the state of South Carolina.

**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)** - There were no comments.

**Executive Session- 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 – Property At Turpin Park, Contractual Services For The Planning Department, Host Contract Agreement With Waste Management 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 – I-T Department – Vice Chairman Sauls motioned and Councilman Drayton seconded the motion to go into executive session for the 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 – Property At Turpin Park, Contractual Services For The Planning Department, Host Contract Agreement With Waste Management 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 – I-T Department. The motion carried with all members present voting in favor.**

**Return to Open Session – Vice Chairman Sauls motioned and Councilman Etheridge seconded the motion to return to open session. The motion carried with all members present voting in favor.**

Vice Chairman Sauls motioned and Councilman Drayton seconded the motion to fund a position for the I-T department. The motion carried with all members present voting in favor.

Vice Chairman Sauls motioned and Councilman Drayton seconded the motion to approve using a 3<sup>rd</sup> party for building inspections as needed. The motion carried with all members present voting in favor.

**Adjourn - Vice Chairman Sauls motioned and Councilman Drayton seconded the motion to adjourn. The motion carried with all members present voting in favor.**

The meeting ended at 5:55 P.M.

Respectfully Submitted By:

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Judith M. Frank, ccc  
Clerk to Council

Approved By:

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Rev. Samuel Gregory  
Chairman