

JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
OCTOBER 16, 2007
2:00 P.M.

COUNCIL WORKSHOP

OFFICIALS PRESENT:

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

STAFF PRESENT:

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
JUDITH FRANK, CLERK TO COUNCIL

CHAIRMAN HOOD AND VICE CHAIRMAN JONES ARRIVED AFTER THE PLEDGE OF ALLEGIANCE AND THE INVOCATION.

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:

COUNCILMAN BLACKSHEAR CALLED THE MEETING TO ORDER.

PLEDGE OF ALLEGIANCE:

COUNCILMAN BLACKSHEAR LED THE PLEDGE OF ALLEGIANCE.

INVOCATION:

COUNCILMAN TUTEN GAVE THE INVOCATION.

DISCUSSION REGARDING THE LAND DEVELOPMENT REGULATIONS AND JOINT PLANNING:

MR. CROASMUM EXPLAINED THE DIFFERENCE BETWEEN THE LAND DEVELOPMENT REGULATIONS AND THE ZONING AND HOW THEY AFFECT DEVELOPMENT OF THE COUNTY. MR. CROASMUN SAID THE LDR HAS 11 ARTICLES FROM GENREAL PROVISIONS AND USES OF LAND. CHAIRMAN HOOD ASKED THAT MR. CROASMUN ADDRESS THE AREAS THAT CONCERNED THE COUNCIL. MR. FULGHUM REVIEWED THE SCHEDULE THAT HAS BEEN FOLLOWED. CHAIRMAN HOOD SAID THE CITIZENS WHO LIVE IN THE DONUT (FIVE MILE RADIUS AROUND THE MUNICIPALITIES) ARE LOOKING FOR HELP FROM THE COUNCIL AND CHAIRMAN HOOD WANTED AN EXPLANATION OF WHO WAS IN CONTROL OF THOSE AREAS. MR. FULGHUM SAID HE WOULD BE HAPPY TO ADDRESS THE ISSUES AND ASKED WHAT WERE THE CITIZENS' COMPLAINTS. CHAIRMAN HOOD

SAID HE DID NOT LOG THE COMPLAINTS. MR. FULGHUM ASKED WHAT WAS THE NATURE OF THE COMPLAINTS AND CHAIRMAN HOOD ASKED WHO MADE THE DECISIONS FOR THE CITIZENS OF JASPER COUNTY WHO LIVED IN THE DONUT AND WHAT KIND OF REPORTS SHOULD THE COUNCIL BE GETTING FROM THE MUNICIPALITIES REGARDING THIS AREA. VICE CHAIRMAN JONES SAID SHE FELT THE COUNCIL MISUNDERSTOOD AS TO WHAT THE AGREEMENT WAS AND THAT THE TWO MUNICIPALITIES SHOULD ONLY BE ENFORCING THE COUNTY'S ORDINANCES IN THE DONUT, NOT THE MUNICIPALITIES. VICE CHAIRMAN JONES SAID THE COUNCIL WAS NOT INFORMED THAT THE MUNICIPALITIES WOULD BE DOING THE ZONING PERMITS AND SHE ASKED WHY THE PEOPLE WHO LIVE IN THE COUNTY AREA ARE PAYING THE MUNICIPALITIES AND WHY THE CITIZENS HAVE TO GET PERMITS FROM THE MUNICIPALITIES. VICE CHAIRMAN JONES SAID THE COUNCIL WAS TOLD THAT THE COUNCIL STILL CONTROLLED THE AREA IN THE DONUT. VICE CHAIRMAN JONES SAID THE COUNCILS WERE COMMUNICATING AND NOT THEY ARE NOT, AND THAT THE HARDEEVILLE COUNCIL EXPRESSED THE SAME CONCERN THAT THE COUNCILS ARE NOT BEING INFORMED. VICE CHAIRMAN JONES SAID THE MUNICIPALITIES ALSO NEED TO KNOW HOW THE JOINT PLANNING EFFECTS THE COMPREHENSIVE PLAN. VICE CHAIRMAN JONES SAID THE COUNTY PLANNING COMMISSION DOES NOT KNOW WHAT THE MUNICIPALITIES ARE DOING. VICE CHAIRMAN JONES SAID THERE HAS BEEN A BREAKDOWN OF COMMUNICATION BETWEEN THE STAFF AND THE COUNCIL. MR. FULGHUM SAID THE PLANNING COMMISSION NEEDS TO BE INVOLVED WITH PLANNING. MR. FULGHUM SAID THE INTENT OF THE JOINT PLANNING AGREEMENT WAS TO LET THE MUNICIPALITIES CONTROL WHAT WAS HAPPENING AT THEIR DOORSTEP AND THAT THEY WOULD ALSO PROVIDE BETTER SERVICES FOR THE PEOPLE LIVING IN THE FIVE MILE RADIUS. MR. FULGHUM SAID THE COUNCIL ESTABLISHED THE BOUNDARIES AROUND THE MUNICIPALITIES AND THIS IS WHERE THE GROWTH WOULD OCCUR BECAUSE THIS IS WHERE IT WOULD LOGICALLY GROW. MR. FULGHUM SAID THAT THE COUNTY IS GIVING UP THE FEES SOME FEES FOR THAT, BUT THEY ARE ALSO GIVING UP THE NEED TO PROVIDE SERVICES TO THAT AREA. MR. FULGHUM SAID IT MAKES NO SENSE TO BE TERRITORIAL AND THAT CANALING GROWTH IN THE AREAS AROUND THE MUNICIPALITIES IS WHAT THE JOINT PLANNING AGREEMENT SET OUT TO DO. MR. FULGHUM SAID THAT PDD IS WORKING WELL AND THE OTHER ZONING NEEDED TO BE REVAMPED. MR. FULGHUM SAID THE COUNCIL NEEDED TO WORK ON COMMUNICATION AND NOT DO AWAY WITH JOINT PLANNING. MR. FULGHUM SAID THE MUNICIPALITIES GRANTED THE COUNTY THE RIGHT FOR TRANSITIONAL ZONING AND THEY WILL BOTH ADOPT THE COUNTY'S ZONING AND LAND DEVELOPMENT REGULATIONS. MR. FULGHUM SAID THAT EVEN THOUGH THERE IS A PROVISION FOR THE MUNICIPALITIES TO PASS ORDINANCE EFFECTING DEVELOPMENT ON THE EDGE OF THE MUNICIPALITIES, THEY HAVE NOT USED IT AND MR. FULGHUM CONTINUED THAT HE DID NOT THINK THAT IT NEEDED TO BE REMOVED OR THAT IT COULD BE REMOVED. COUNCILMAN TUTEN ASKED IF THE MUNICIPALITIES COULD ADOPT ANY ORDINANCE THEY WANTED IN THE DONUT AREA AND MR. FULGHUM RESPONDED THAT THEY CAN IF IT HAD TO DO WITH ZONING AND PLANNING. COUNCILMAN TUTEN SAID THE PEOPLE IN THE DONUT HAVE TO GO TO THE MUNICIPALITIES AND PAY A FEE IS THEY WANT TO CUT TREES OR BURN AREAS. MR. FULGHUM SAID THE MUNICIPALITIES HAVE THE POWER TO REQUIRE THAT. COUNCILMAN TUTEN ASKED IF THE PEOPLE EFFECTED COULD VOTE IN

MUNICIPALITIES AND MR. FULGHUM SAID THEY COULD NOT. COUNCILMAN TUTEN SAID THEN THEY SHOULD NOT BE ALLOWED FOR ENFORCE THEIR ORDINANCES ON THOSE CITIZENS OF THE COUNTY. MR. FULGHUM SAID THAT HARDEEVILLE HAS ANNEXED ALMOST ALL OF THE PROPERTY IN THE DONUT AND RIDGELAND IS WORKING TOWARDS ANNEXING EVERYTHING IN THE DONUT AROUND RIDGELAND. MR. FULGHUM SAID THAT IT WAS THE INTENT OF THE JOINT PLANNING ORDINANCE TO GIVE THE EXTRA POWER TO THE MUNICIPALITIES TO ENCOURAGE ANNEXATION. LISA LAMB SAID THAT UNDER THE MINI FARM ORDINANCE ONLY ONE STRUCTURE IS ALLOWED WHEN THE MINI FARM IS 2 ACRES OR MORE. COUNCILMAN TUTEN SAID THAT WHEN A PERSON WANTED TO PUT IN A MOBILE HOME THEY WERE DENIED. JASON TAYLOR, RIDGELAND ADMINISTRATOR, SAID THE PEOPLE WERE ONLY DENIED WHEN THEY TRIED TO PUT THREE MOBILE HOMES ON ONE PIECE OF PROPERTY. MR. TAYLOR SAID THE COUNT ALLOWS MOBILE HOMES WITH CONDITIONS AND THOSE WERE THE CONDITIONS THAT APPLIED AS THE CITY DOES NOT ALLOW MOBILE HOMES. COUNCILMAN TUTEN ASKED ABOUT THE TREE ORDINANCE IN HARDEEVILLE AND THE REPRESENTATIVE FROM HARDEEVILLE SAID THEY WOULD CHECK INTO THE MATTER. VICE CHAIRMAN JONES SAID SHE WAS NEVER IN FAVOR OF DOING AWAY WITH THE ORDINANCE, BUT THE COUNTY COUNCIL NEEDS TO SIT DOWN WITH THE MUNICIPALITIES' COUNCIL AND ALL THE PLANNING COMMISSIONS SO THAT EVERYONE IS AWARE OF WHAT IS HAPPENING IN EACH AREA. MR. FULGHUM SAID HE FELT THE PLANNING COMMISSIONS SHOULD BECOME THE EXPERTS AND HE HAS DISCUSSED THIS WITH THE CHAIRMAN OF THE PLANNING COMMISSION AND HE FELT THE COUNTY'S PLANNING COMMISSION SHOULD ATTEND THE MEETINGS OF THE OTHER PLANNING COMMISSIONS. VICE CHAIRMAN JONES SAID SHE WAS CONCERNED THAT THE STAFF WAS ATTENDING MEETINGS AND NOT REPORT BACK TO OR KEEPING THE COUNCIL INFORMED. VICE CHAIRMAN JONES SAID THE COUNCIL NEEDS TO KNOW THESE THINGS AND THEY SHOULD BE UPDATED BY THE STAFF. VICE CHAIRMAN JONES SAID SHE WANTED TO KNOW HOW THESE THINGS WERE EFFECTING THE CITIZENS OF JASPER COUNTY. VICE CHAIRMAN JONES SAID THAT THE COMPREHENSIVE PLAN ALSO ENCOURAGED GROWTH AROUND THE MUNICIPALITIES AND AS LONG AS THAT IS OCCURRING SHE FELT THE STAFF SHOULD BE REPORTING IT TO COUNCIL. CHAIRMAN HOOD ASKED ABOUT THE FEES BEING COLLECTED AND WHERE THE FUNDS WERE AT. MR. FULGHUM SAID THE FEES WERE COLLECTED ONLY IF THE HOMES ARE BUILT. COUNCILMAN TUTEN SAID IT SEEMS AS IF EVERYTHING IS ON PAPER AND NOT IN HAND. MR. FULGHUM SAID IT CAN ONLY BE COLLECTED WITH THE LAND IS DEVELOPED. CHAIRMAN HOOD SAID THE COUNCIL NEEDS TO KNOW THESE THINGS. COUNCILMAN TUTEN SAID THE MUNICIPALITIES HAVE NO BUSINESS TELLING THE CITIZENS OF JASPER COUNTY IF THEY CAN BURN OR CUT DOWN A TREE. MR. FULGHUM SAID THAT THINGS MUST BE DONE CONSISTENTLY WITHIN THE MUNICIPALITIES AND THE COUNTY AND THE ISO RATINGS ARE AFFECTED BY FIRE SAFETY. COUNCILMAN TUTEN SAID HE STILL FELT THE MUNICIPALITIES HAD NO BUSINESS TELLING PEOPLE OUTSIDE OF THEIR LIMITS WHAT THEY CAN DO. MR. FULGHUM SAID IF HARDEEVILLE DID NOT DO IT THEN A COUNTY EMPLOYEE WOULD HAVE TO DO IT AND IT WOULD COST THE COUNTY MORE MONEY TO HIRE SOMEONE. COUNCILMAN BLACKSHEAR QUESTIONED THAT ONLY TWO MOBILE HOMES CAN BE LOCATED ON ONE PARCEL OF PROPERTY REGARDLESS OF THE SIZE OF THE PROPERTY.

MS. LAMB SAID THAT A 3RD MOBILE HOME MAKES IT A MOBILIE HOME PARK AND THAT HAS BEEN THE LAW SINCE 1999. COUNCILMAN TYLER ASKED IF THE PEOPLE OF JASPER COUNTY ARE AWARE OF THIS LAW. MS. LAMB SAID THAT IT HAS BEEN IN EFFECT SINCE 1999 AND THE PEOPLE SHOULD BE AWARE OF IT. COUNCILMAN TYLER SAID HE WAS NEVER NOTIFIED BY MAIL ABOUT THIS. MS. LAMB SAID SHE WAS NOT SURE WHEN IT WAS ADOPTED, BUT SHE NEVER HEARD OF THE COUNTY DOING A MAIL OUT TO ALL THE CITIZENS REGARDING THE ORDINANCES THAT ARE PASSED. CHAIRMAN HOOD SAID HE FELT AN ANNUAL REPORT WOULD BE GOOD TO DO. MR. FULGHUM SAID IT WAS NOT PRACTICAL TO NOTIFY EVERYONE OF EVERY LAW THAT IS PAST AND THAT THE COUNCIL NEEDED A PUBLIC SPOKESMAN TO RESPOND TO THE ISSUES AND TO DIRECT THE CITIZENS TO THE APPROPRIATE STAFF MEMBER. COUNCILMAN BLACKSHEAR SAID HE DID NOT FEEL THIS PORTION OF THE ORDINANCE WAS FAIR. MS. LAMB SAID SHE WOULD BRING IT TO THE ATTENTION OF THE PLANNING COMMISSION. MS. LAMB SAID THAT HEIRS PROPERTY IS ALSO AN AREA OF CONCERN. MR. FULGHUM SAID THAT IT IS ADDRESSED IN THE JOINT PLANNING ORDINANCE AND THAT TAKING TRANSITIONAL ZONING OUT IS NOT NECESSARY. MR. FULGHUM SAID THAT PROPERTY CAN ONLY BE REZONED AT THE REQUEST OF THE PROPERTY OWNER. CHAIRMAN HOOD SAID THAT THE COUNCIL COULD HAVE THE 1ST READING TO AMEND THE ZONING ORDINANCE, BUT THEY ALSO NEEDED MORE INPUT FROM THE PLANNING COMMISSION. MR. FULGHUM SAID HE WOULD START TO WORK ON REVISING THE AGREEMENT AND HE WOULD ALSO WORK WITH THE PLANNING COMMISSION TO GET THEIR INPUT. VICE CHAIRMAN JONES SAID THAT SHE FEELS THE ISSUES THAT NEED TO BE CHANGED NEED TO BE PRESENTED TO THE PLANNING COMMISSION AND THE THE PLANNING COMMISSION DOESN'T NEED TO START WORKING ON THIS UNTIL THE ZONING ORDINANCE IS COMPLETE.

VICE CHAIRMAN JONES ASKED WHY THE COUNTY CANNOT DO THE PERMITTING IN THE DONUT AND MR. FULGHUM SAID THAT THE WAY THE LAW IS PART AND PARCEL OF WHO IS DOING ADMINISTRATIVE WORK HAS THE POWER TO ISSUE THOSE PERMITS. MR. FULGHUM SAID IT HAS NOT BEEN A BIG ISSUE IN RIDGELAND, HOWEVER, IT IS AN ISSUE IN HARDEEVILLE.. MR. FULGHUM SAID THAT MS. LAMB AND ATTORNEY JONES WERE WORKING ON THIS AND HE DIDN'T THINK IT COULD BE ADDRESSED BY THE PLANNING AND ZONING AUTHORITY, BUT IT COULD BE DONE BY GIVING THE MUNICIPALITIES BYT RIGHT TO ISSUE THE ZONING AND BUILDING PERMITS. MR FULGHUM SAID THE DEVELOPMENT SERVICES DEPARTMENT IS SHORT STAFFED AND WHEN THE MORATORIUM IS LIFTED IT WOULD BE A GREAT BURDEN ON THE EXISTING STAFF. MR. FULGHUM SAID THAT WHO IS THE ZONING AUTHORITY SHOULD ALSO ISSUE THE ZONING PERMITS. MR. FULGHUM CONTINUTED THAT HE WILL LOOK INTO WHAT OPTIONS ARE AVAILABLE . CHAIRMAN HOOD SAID THAT HARDEEVILLE HAS ANNEXED SO MUCH PROPERTY AND WHEN MORE PEOPLE ARE HIRED THE STAFF SHOULD BE ABLE TO HANDLE THINGS. MR. FULGHUM SAID THAT THE JOINT PLANNING GOALS ACCOMPLISHED IN HARDEEVILLE HAVE BEEN TREMENDOUS.

VICE CHAIRMAN JONES POINTED OUT THAT THE MAP SHOWS THE JOINT PLANNING AREAS,BUT IT DOESN'T SHOW WHAT HAS BEEN ANNEXED. VICE CHAIRMAN JONES ASKED THAT THE COUNCIL BE PROVIDED WITH AN MAKE THAT SHOWS WHAT HAS ACTUALLY BEEN DONE IN EACH AREA. MR. FULGHUM SAID THAT MS. LAMB IS KEEPING

UP WITH THAT AND MS. LAMB IS IN CHARGE OF MAINTIANING THE MASTER ZONING MAP.

VICE CHAIRMAN JONES ASKED MR. FULGHUM IF HE HAS ORDERED THE ELMO THAT COUNCIL HAS REQUESTED. MR. FULGHUM SAID THAT IS HAS NOT BEEN ORDERED. CHAIRMAN HOOD ASKED THE CLERK TO ORDER THE ELMO FOR THE COUNCIL AND THAT THEY WOULD LIKE TO HAVE IT FOR THE NEXT MEETING.

VICE CHAIRMAN JONES TOLD MR. FULGHUM SHE WOULD LIKE TO HAVE THE MAP AVAILABLE AT THE NEXT COUNCIL MEETING AND SHE ALSO WANTED A PROJECTION OF WHAT IS BEING CONSIDERED FOR ANNEXATION BY THE TWO MUNICIPALITIES.

MR. FULGHUM SAID THAT IT WAS HARD TO KEEP UP WITH THE GROWTH SINCE IT IS HAPPENING SO RAPIDLY AND THAT THE ANNEXATION IS DONE AT THE REQUEST OF THE PROPERTY OWNERS, BUT HE FELT THE MAP WOULD BE HELPFUL.

MR. FULGHUM INFORMED THE COUNCIL THAT IN ORDER TO CHANGE THE JOINT PLANNING ORDINANCE, BOTH MUNICIPALITES WOULD HAVE TO AGREE TO THE CHANGE.. MR. FULGHUM SAID THAT IF THE COUNCIL RECIEVES A COMPLAINT THEY SHOULD BRING IT TO HIM SO THAT HE CAN HAVE A STAFF RESEARCH AND RESOLVE IT.

ADJOURN:

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO ADJOURN THE MEETING.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN