

JASPER COUNTY COUNCIL  
MARY GORDON ELLIS EXECUTIVE BUILDING  
COUNCIL CHAMBERS  
NOVEMBER 13, 2007  
7:00 P.M.

MINUTES

**OFFICIALS PRESENT:**

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

**STAFF PRESENT;**

ANDREW FULGHUM, ADMINISTRATOR  
RONNIE MALPHRUS, DEP. ADM. ADM. SER.  
DALE TERRY, DEP. ADM. ENG. SER.  
JUDITH FRANK, CLERK TO COUNCIL  
MARVIN JONES, ATTORNEY

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 MEETING TO ORDER AT 7:00 P.M.

**PLEDGE OF ALLEGIANCE:**

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

**INVOCATION:**

COUNCILMAN TUTEN GAVE THE INVOCATION.

**APPROVAL OF THE MINUTES:**

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE MINUTES OF OCTOBER 15, 2007 AND OCTOBER 23, 2007. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PRESENTATIONS AND PROCLAMATIONS:**

**TOM DAVIS – UPDATE ON THE PORT**

MR. DAVIS ANNOUNCED THAT THE GOVERNORS OF SOUTH CAROLINA AND GEORGIA MET AND ANNOUNCED HOW THEY PLANNED TO MOVE THE DEVELOPMENT OF THE PORT FORWARD. MR. DAVIS SAID THAT THEY WERE FAST TRACKING THE ACQUISITION OF THE 1400 ACRES AT A PRICE OF \$5,000.00 PER ACRE AND THEY WERE WORKING WITH THE CORP OF ENGINEERS TO EXPEDITE THE PERMITTING. MR DAVIS SAID THE PORT CAN BE REALITY WITHIN THE NEXT 3 TO 5 YEARS. MR. DAVIS SAID THAT ALL THE MAJOR PLAYERS ARE IN ACCORD. MR. DAVIS COMMENDED THE COUNCIL FOR THEIR EFFORTS ON PURSUING THE PORT. COUNCILMAN TUTEN ASKED IF JASPER COUNTY WOULD STILL BE GETTING \$2.00 PER CONTAINER AND MR. DAVIS SAID THAT WOULD BE SOMETHING TO BE NEGOTIATED IN THE DEVELOPMENT AGREEMENT.

**PUBLIC HEARING AND 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE COMPREHENSIVE PLAN MAP:**

MR. FULGHUM REPORTED THAT THE PLANNING COMMISSION HAS REVIEWED THE CHANGES AND RECOMMEND THAT THE REVISED MAP BE APPROVED. COUNCILMAN TUTEN ASKED IF THE COUNCIL WOULD HAVE ALL QUESTIONS REGARDING ITEMS A.B.C. AND D. ANSWERED BEFORE THEY VOTED TO APPROVE ANY OF THEM. CHAIRMAN HOOD SAID EACH ITEM WOULD BE DISCUSSED AND VOTED ON IN THE ORDER THEY APPEAR ON THE AGENDA. COUNCILMAN TUTEN SAID HE WAS NOT SOLD ON A FEW THINGS REGARDING THE ORDINANCES BEING PRESENTED. VICE CHAIRMAN JONES ASKED IF THE MAP BEFORE COUNCIL WAS THE MAP THAT THE PLANNING COMMISSION APPROVED AND MS. THOMAS, CHAIRMAN OF THE PLANNING COMMISSION, SAID YES, THE MAP HAD HER SIGNATURE ON IT. MS. THOMAS EXPLAINED THE VARIOUS DESIGNATIONS AND THE LOCATIONS OF EACH. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. DOUG COOK SAID THAT HE WAS CONCERNED ABOUT THE AREAS ZONED R IN YELLOW WOULD ONLY BE ALLOWED TO HAVE SOME FARM ANIMALS. MS. RAWLINS ASKED HOW HER FAMILY'S PROPERTY WAS ZONED BECAUSE OF THE INDUSTRIES

AROUND THEM THEY WOULD NEVER BE ABLE TO SELL IT IF IT WAS ZONED RESIDENTIAL. MS. THOMAS RESPONDED THAT THE ZONING MAP SHOWS AREA IN MORE DETAIL THAN THE COMPREHENSIVE PLAN MAP. MS. THOMAS SAID THAT THE FRAZIER PROPERTY THAT MS. RAWLINS WAS ASKING ABOUT WAS ZONED COMMUNITY COMMERCIAL. MS. THOMAS RESPONSE TO MR. COOK'S QUESTION THAT THERE IS A CHART IN THE ZONING ORDINANCE REGARDING ANIMALS AND SOME ANIMALS WOULD BE ALLOWED, BUT NOT SO MANY THAT THEY WOULD BE A NUISANCE. COUNCILMAN TUTEN ASKED HOW MANY COWS WOULD BE ALLOWED ON 100 ACRES. MS. RAWLINS ASKED IF THE FRAZIER PROPERTY COULD BE ZONED COMMERCIAL AND CHAIRMAN HOOD SAID THAT WOULD HAVE TO BE WORKED ON BECAUSE OF THE OTHER RESIDENCES IN THAT AREA AND THEY WOULD HAVE TO BE CONSULTED. MS. THOMAS SAID THAT IN ANSWER TO COUNCILMAN TUTEN'S QUESTION IS THAT LIVESTOCK IS A CONDITIONAL USE AND GENERAL FARMING IS ALLOWED IN AREAS ZONED R AND UP TO 14 COWS WOULD BE ALLOWED ON 2 ACRES OR 726 COWS ON 100 ACRES. CAROLYN FLINT ASKED ABOUT THE AREA NEAR HER HOME THAT WAS SHOWN AS INDUSTRIAL ON THE MAP AND MS. THOMAS TOLD HER THAT AREA WAS CHANGED AND THAT MS. FLINT DID NOT HAVE THE CURRENT MAP. BEING NO FUTURE COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE ORDINANCE TO AMEND THE JASPER COUNTY COMPREHENSIVE PLAN ZONING MAP. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

### **3<sup>RD</sup> READING OF THE ZONING ORDINANCE:**

MS. THOMAS REVIEWED THE ORDINANCE AND ATTORNEY JONES EXPLAINED THAT THIS IS A DOCUMENT IN MOTION AND THE PLANNING COMMISSION WAS KEEPING A LIST OF ITEMS THAT NEEDED TO BE ADDRESSED AND WILL MAKE THE DOCUMENT BETTER. MS. THOMAS SAID THAT THE PLANNING COMMISSION WILL BE ABLE TO TRACK ANY CHANGES. MS. THOMAS SAID THAT THE PLANNING COMMISSION WAS RECOMMENDING APPROVAL OF THE ZONING ORDINANCE AS PRESENTED. COUNCILMAN TUTEN SAID THAT THE CURRENT ORDINANCE DOES NOT ALLOW PROPERTY TO BE DIVIDED MORE THAN FOUR TIMES AND IN OTHER COUNTIES THEY ALLOW IT TO BE DIVIDED 10 TIMES. COUNCILMAN TUTEN MOTIONED TO CHANGE THE ORDINANCE SO THAT PROPERTY CAN BE SUBDIVIDED 10 TIMES. CHAIRMAN HOOD SAID NOW WAS NOT THE TIME FOR THAT MOTION. ATTORNEY JONES EXPLAINED THAT THE COUNCIL MUST MOTION TO ACCEPT THE CHANGES TO THE ORDINANCE SINCE THE 2<sup>ND</sup> READING AND THEN THE COUNCIL CAN AMEND IT. THE COUNCIL DISCUSSED THE DIFFERENCE BETWEEN FAMILY COMPOUNDS AND HEIRS PROPERTY. ATTORNEY JONES SAID THAT WITH A FAMILY COMPOUND THE OWNER OF THE PROPERTY CAN STILL BE ALIVE. CHAIRMAN HOOD ASKED IF THE PLANNING COMMISSION REVIEWED THE INFORMATION ON HEIRS PROPERTY AND FAMILY COMPOUNDS THAT ATTORNEY JONES AND RIVERS PROVIDED TO THE COUNCIL. DR. BOSTICK, MEMBER OF THE PLANNING COMMISSION, SAID THE PLANNING COMMISSION IS NOT RECOMMENDING WHAT THE ATTORNEYS PRESENTED AND THAT HE HAD NOT REVIEWED THE MINING SECTION, HEIRS PROPERTY AND FAMILY COMPOUND AND THAT THE PLANNING COMMISSION DID NOT INCLUDE THEM IN THE ORDINANCE THAT THEY WERE RECOMMENDING AND THOSE ISSUES WOULD BE ADDRESSED AND ADDED AT A LATER DATE. DR. BOSTICK SAID THAT THEY DID NOT RECOMMEND INCREASING THE NUMBER OF TIMES A PIECE OF PROPERTY COULD BE DIVIDED FOR SAFETY REASONS AND ALSO IT COULD ALLOW FOR LOOPHOLES FOR A DEVELOPER. CHAIRMAN HOOD ASKED IF THE HEIRS PROPERTY AND FAMILY COMPOUND WERE INCLUDED IN THIS DOCUMENT. MR. FULGHUM SAID THE PLANNING COMMISSION TOOK THOSE SECTIONS OUT AND THE ATTORNEY PUT IT BACK IN AS WRITTEN BASED ON THE ATTORNEY'S RECOMMENDATION. CHAIRMAN HOOD SAID IF THE COUNCIL WANTS IT TO BE INCLUDED THEY NEED TO MAKE THE MOTION TO INCLUDE IT SINCE THE PLANNING COMMISSION DID NOT RECOMMEND IT. MR. MAGLIONE SAID THAT THE SUBDIVISION ON LAND IN THE LDR STATES THAT A MINOR SUBDIVISION COULD BE APPROVED AT STAFF LEVEL AND HE OUTLINED THE REGULATIONS AS LISTED IN THE ORDINANCE. COUNCILMAN TUTEN SAID HE FELT THAT IT SHOULD BE 10 AND NOT 4 LOTS. MS. LAMB SAID THAT ANYTIME YOU RAISE THE BAR FOR PEOPLE TO MAKE THE PROCESS EASIER IT CAN ALSO CREATE LOOPHOLES. MS. LAMB SAID THAT THERE ARE VARIANCES FOR MORE DIVISIONS THAN FOUR THAT CAN BE APPLIED FOR AND APPROVED AT STAFF LEVEL. DR. BOSTICK SAID THAT MORE SUBDIVISIONS CAUSE CONCERN TO THE PUBLIC SAFETY AND WELFARE OF THE CITIZENS. COUNCILMAN TUTEN SAID IF IT IS CHANGED TO 10 THE PEOPLE WILL

STILL HAVE TO FOLLOW THE REGULATIONS AND IT WOULD ELIMINATE THE INCONVENIENCE FOR THE CITIZENS OF HAVING TO APPLY FOR A VARIANCE. CHAIRMAN HOOD SAID THE CURRENT ORDINANCE ONLY ALLOWS FOR FOUR LOTS AND HE HAS NOT HEARD OF IT CREATING PROBLEMS FOR THE CITIZENS UNTIL THIS ZONING ORDINANCE CAME TO THE COUNCIL. COUNCILMAN TUTEN SAID HE APPRECIATED THE COMMISSION'S HARD WORK, BUT HE FEELS HE HAS TO LOOK OUT FOR THE WORKING PEOPLE OF THE COUNTY. MS. LAMB SAID A MINOR SUBDIVISION IS CURRENTLY 4 LOTS THAT CANNOT BE DIVIDED AGAIN FOR FIVE YEARS AND THERE ARE NOT DRAINAGE PROBLEMS OR THAT NO NEW ROADS WOULD HAVE TO BE BUILT. MS. LAMB SAID THAT THE PLANNING COMMISSION WANTS TO REVIEW WAIVERS IF THEY ARE APPLIED FOR ON AN INDIVIDUAL BASIS. COUNCILMAN TUTEN ASKED MS. LAMB ABOUT A WAIVER SOMEONE WAS WAITING ON AND HE ASKED HOW LONG THAT TAKES. MS. LAMB SAID SHE HAD THE PAPERWORK DONE AND WAS JUST WAITING ON THE ORDINANCE TO PASS. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO AMEND THE PROPOSED ORDINANCE TO ADOPT THE JASPER COUNTY ZONING ORDINANCE AND ZONING MAP, TO READ IN ACCORDANCE WITH THE PLANNING COMMISSION'S RECOMMENDATIONS AS SET FORTH IN A COPY OF THE PROPOSAL IN THE HANDS OF THE CLERK TO COUNCIL. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. VICE CHAIRMAN JONES ASKED ABOUT ADDING THE FAMILY COMPOUNDS AND COUNCILMAN BLACKSHEAR SAID THAT FAMILY COMPOUNDS ARE A BIG PROBLEM AND HE FELT IT NEEDED TO BE ELIMINATED AND THE PLANNING COMMISSION DOES NOT NEED TO ADDRESS IT. ATTORNEY JONES SAID THAT THE COUNCIL CURRENTLY HAS THE ZONING ORDINANCE AMENDED AND NOW THE COUNCIL CAN ADD OR REMOVE THE ITEMS THEY WANT TO CHANGE. MR FULGHUM DISCUSSED THE TREE ORDINANCE AND THE REPARIAN BUFFER THAT SOME OF THE COUNCIL MEMBERS WERE CONCERNED ABOUT AND THEY BOTH STAYED IN THE ORDINANCE AS THE PLANNING COMMISSION RECOMMENDED. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO ADOPT THE JASPER COUNTY ZONING ORDINANCE AND ZONING MAP, AS AMENDED. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN JONES, AND COUNCILMAN TYLER VOTING FOR; COUNCILMEN TUTEN AND BLACKSHEAR VOTED AGAINST.

**3<sup>RD</sup> READING OF THE LAND USE REGULATION ORDINANCE:**

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO AMEND THE PROPOSED ORDINANCE TO ADOPT THE JASPER COUNTY LAND USE REGULATION ORDINANCE TO READ IN ACCORDANCE WITH THE PLANNING COMMISSION'S RECOMMENDATIONS AS SET FORTH IN A COPY OF THE PROPOSAL IN THE HANDS OF THE CLERK TO COUNCIL. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN TUTEN MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO AMEND THE LAND USE REGULATION ORDINANCE SO THAT THE PROPERTY DIVISION ALLOWED IN A MINOR SUBDIVISION FROM 4 LOTS TO 10 LOTS WITH TWO DWELLINGS PER ACRE AND THIS IS NOT TO DEVELOPERS. . THE MOTION WAS CARRIED WITH COUNCILMEN TUTEN, BLACKSHEAR, AND TYLER VOTING FOR; CHAIRMAN HOOD AND VICE CHAIRMAN JONES VOTED AGAINST. THE MOTION WAS REVISED BY COUNCILMAN TUTEN AND SECONDED BY COUNCILMAN TYLER TO CHANGE THE DIVISION ALLOWED IN A MINOR SUBDIVISION FROM 4 LOTS TO 10 LOTS AND TO INCLUDE THE RECOMMENDATION OF THE ATTORNEY REGARDING HEIRS PROPERTY. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. A COPY OF THE ATTORNEY'S RECOMMENDATION CONCERNING HEIRS PROPERTY IS ATTACHED AND MADE PART OF THE MINUTES. ATTORNEY JONES EXPLAINED THE NUMBER OF DWELLINGS PER ACRE LOT WOULD HAVE TO BE ADDRESSED IN THE ZONING ORDINANCE. AND MS. JONES WOULD HAVE TO RESCIND HER MOTION. COUNCILMAN TUTEN SAID HE WAS TOLD TO WAIT UNTIL THE LDR ORDINANCE TO MAKE HIS MOTION. CHAIRMAN HOOD SAID THAT PREVIOUSLY COUNCILMAN TUTEN ONLY DISCUSSED THE SUBDIVISION OF THE PROPERTY, NOT THE NUMBER OF DWELLINGS. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT THIS IS THE 3<sup>RD</sup> READING AND TO ADOPT THE JASPER COUNTY LAND USE REGULATION ORDINANCE AS AMENDED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN JONES WOULD NOT MAKE THE MOTION TO RECONSIDER THE 3<sup>RD</sup> READING OF THE ZONING ORDINANCE.

**2<sup>ND</sup> READING OF THE ORDINANCE TO ESTABLISH AN ECONOMIC DEVELOPMENT ALLIANCE BETWEEN JASPER COUNTY AND BEAUFORT COUNTY:**

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO ESTABLISH AN ECONOMIC DEVELOPMENT ALLIANCE BETWEEN JASPER COUNTY AND BEAUFORT COUNTY. VICE CHAIRMAN JONES ASKED THAT THE ADMINISTRATOR GIVE AN EXPLANATION ABOUT THE ALLIANCE. MR. FULGHUM SAID THAT BY JOINING THE ALLIANCE THE COUNTIES WILL WORK TOGETHER TO ATTRACT INDUSTRIES AND THEY MAY BE ELIGIBLE FOR GRANT FUNDING. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF JASPER COUNTY, SOUTH CAROLINA, BY PROVIDING FOR THE ASSESSMENT OF AIRCRAFT SUBJECT TO PROPERTY TAX IN JASPER COUNTY, SOUTH CAROLINA; TO ESTABLISH THE ASSESSMENT RATIO OF THE FAIR MARKET VALUE OF SUCH AIRCRAFT; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO:**

MR. FULGHUM SAID THAT THE PURPOSE OF THE ORDINANCE WAS TO REDUCE THE TAXES FROM 10.4% TO 4% AS THE COUNCIL DISCUSSED AT THE LAST COUNCIL MEETING. MR FULGHUM SAID THAT MR. DEAN WOULD BE PRESENT AT THE NEXT MEETING AND MR. DEAN WAS GOING TO CONTACT THE OWNERS OF THE AIRCRAFT BASED AT THE JASPER COUNTY AIRPORT AND DISCUSS WITH THEIR PAYING THEIR TAX ON THEIR AIRCRAFT IN JASPER COUNTY RATHER THAN THE COUNTY THEY RESIDE. COUNCILMAN BLACKSHEAR MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND THE CODE OF ORDINANCES OF JASPER COUNTY, SOUTH CAROLINA, BY PROVIDING FOR THE ASSESSMENT OF AIRCRAFT SUBJECT TO PROPERTY TAX IN JASPER COUNTY, SOUTH CAROLINA; TO ESTABLISH THE ASSESSMENT RATIO OF THE FAIR MARKET VALUE OF SUCH AIRCRAFT; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR MATTERS RELATING THERETO. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PUBLIC HEARING AND RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOB-ECONOMIC DEVELOPMENT AUTHORITY OF ITS' ECONOMIC DEVELOPMENT REVENUE BONDS (WASTE MANAGEMENT OF SOUTH CAROLINA, INC. PROJECT) SERIES 2007, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$20,000,000.00:**

MR. FULGHUM EXPLAINED THAT A PUBLIC HEARING WAS REQUIRED AND HE ASKED THE COUNCIL TO CONSIDER APPROVAL OF THE RESOLUTION. MR. FULGHUM SAID THIS WOULD NOT OBLIGATE THE COUNTY IN ANYWAY. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND TO PASS THE RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOB-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (WASTE MANAGEMENT OF SOUTH CAROLINA, INC. PROJECT) SERIES 2007, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$20,000,000.00. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTION TO DECLARE PROPERTY AS SURPLUS OR OBSOLETE AND APPROVE THE SALE OR DISPOSITION THEREOF:**

MR. FULGHUM STATED THAT THE RESOLUTION WAS TO AUTHORIZE THE ADMINISTRATOR TO SELL SURPLUS COUNTY OWNED EQUIPMENT ON [WWW.GOVDEALS.COM](http://WWW.GOVDEALS.COM) AND THE LIST OF EQUIPMENT IS ATTACHED AND MADE PART OF THE MINUTES. VICE CHAIRMAN JONES ASKED FOR THE FIGURES FROM THE OTHER COUNTY OWNED EQUIPMENT THAT WAS SOLD ON [WWW.GOVDEALS.COM](http://WWW.GOVDEALS.COM) . COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO APPROVE THE SALE OF THE ATTACHED LIST OF COUNTY OWNED SURPLUS OR OBSOLETE PROPERTY ON [WWW.GOVDEALS.COM](http://WWW.GOVDEALS.COM). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**OFFICE SPACE FOR DJJ:**

MR. FULGHUM SAID THAT MR. BONEPARTE OF DJJ ASKED THAT THE COUNTY HELP PAY THE ELECTRICITY FOR HIS NEW OFFICES AT THE OLD HIGH SCHOOL. MR. FULGHUM SAID THAT THE SPACE ALSO NEEDED SOME REPAIRS AND UPGRADES. MR. TERRY SAID HE FELT HIS DEPARTMENT COULD DO MOST OF THE NECESSARY WORK INCLUDING CARPETING, PAINTING, BUILDING WALL, NEW BLINDS. MR. TERRY ESTIMATED THAT THE IMPROVEMENTS WOULD COST \$3,200.00. IN HIS REQUEST MR. BONEPARTE ALSO ASKED THAT THE CLEANING SERVICE THE COUNTY HAS PROVIDED CONTINUE. CHAIRMAN HOOD ASKED ABOUT THE ELECTRIC AS HE THOUGHT THE HVAC COVERED THE ENTIRE SCHOOL MR TERRY SAID OTHER DEPARTMENTS WERE MOVING INTO THE OLD HIGH SCHOOL AND THEY WOULD ALL SHARE THE COST OF THE ELECTRICITY. MR FULGHUM SUGGESTED THAT THE COUNCIL APPROVE THE REPAIRS AND SET AN AMOUNT FOR THE ELECTRICITY. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO BRING AN AMOUNT FOR THE HVAC TO THE NEXT MEETING. COUNCILMAN TUTEN SAID THAT HE AND MR. TYLER SERVED ON THE ENGINEERING COMMITTEE THEY WERE NOT INFORMED ABOUT THIS DURING THEIR MEETING. MR FULGHUM APOLOGIZED THAT THIS DID NOT GO BEFORE THE COMMITTEE. CHAIRMAN HOOD ASKED IF THERE WAS A RUSH FOR APPROVAL OF THESE MATTERS AND MR. TERRY SAID THE WORK DID NOT NEED TO BE COMPLETED FOR ABOUT 3 MONTHS. COUNCILMAN TUTEN MOTIONED AND VICE CHAIRMAN JONES SECONDED THE MOTION TO TABLE THIS MATTER UNTIL THE NEXT MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ROAD TRANSFER FROM THE STATE TO THE COUNTY ROAD NETWORK:**

MR. FULGHUM EXPLAINED THAT A PORTION OF 2<sup>ND</sup> AND 3<sup>RD</sup> AVENUES WOULD BE TRANSFERRED TO THE COUNTY AND THIS NEEDED TO BE DONE TO CONTROL PARKING AT THE COURTHOUSE AND NEW ANNEX BUILDING. MR. FULGHUM CONTINUED THAT ROAD SWAPS HAD BEEN DONE IN THE PAST. MR. FULGHUM ASKED FOR APPROVAL AND AUTHORIZATION FOR THE ADMINISTRATOR TO EXECUTE THE TRANSFER. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO DO THE ROAD TRANSFERS OF A PORTION OF 2<sup>ND</sup> AND 3<sup>RD</sup> AVES AND THAT THE ADMINISTRATOR IS AUTHORIZED TO EXECUTE THE TRANSFER. VICE CHAIRMAN JONES ASKED HOW THESE PAVED ROADS WOULD BE MAINTAINED SINCE THE COUNTY DOES NOT HAVE THE EQUIPMENT TO MAINTAIN PAVED ROADS. MR. FULGHUM SAID THAT THE COUNTY WOULD HAVE TO CONTRACT THE WORK OUT. CHAIRMAN HOOD ASKED DID THE ADMINISTRATOR THINK THE STATE WOULD CONTINUE THE MAINTAINENCE IF THEY RETAINED IT AND MR. FULGHUM SAID THE STATE WOULD NO LONGER MAINTAIN IT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**COMMITTEE REPORTS:**

VICE CHAIRMAN JONES ASKED WHY THE ENTIRE COUNCIL WAS NOT INCLUDED IN THE EMPLOYEE APPRECIATION DINNER. COUNCILMAN BLACKSHEAR SAID HE CAME UP WITH THE IDEA AND COUNCILMAN TUTEN SAID HE WOULD HOST IT WITH HIM. COUNCILMAN BLACKSHEAR CONTINUED THAT HE AND COUNCILMAN TUTEN WERE PAYING FOR IT AND IT WAS NOT THEIR INTENTION TO EXCLUDE THE OTHER COUNCIL MEMBERS.

VICE CHAIRMAN JONES SAID THAT SENATOR JOE WILSON HAS REAPPOINTED HER TO REPRESENT SOUTH CAROLINA AT THE NATIONAL SILVER HAired CONGRESS IN WASHINGTON D.C. AND SHE ASKED COUNCIL TO APPROVE HER TRAVEL EXPENSES WHICH WOULD BE ABOUT \$1,500.00. VICE CHAIRMAN JONES SAID THAT UNLESS THE ATTORNEY FINDS A LEGAL REASON WHY THE COUNTY CANNOT PAY FOR THE TRIP SHE WAS TO GO FORWARD.

COUNCILMAN TUTEN SAID THAT WHENEVER SOMETHING COMES UP IN ONE OF HIS COMMITTEES THAT HE FEELS THE REST OF THE COUNCIL SHOULD KNOW IMMEDIATELY, HE HAS THE CLERK PROVIDE THE INFORMATION TO ALL THE OTHER COUNCIL MEMBERS. COUNCILMAN TUTEN SAID HE WAS ASKED TO CHAIR A COMMITTEE TO DO SOMETHING IN THE MEMORY OF ZENIE INGRAM WHO PASSED AWAY. MS. INGRAM WAS A LONGTIME EMPLOYEE OF THE COUNTY AND A LIFE LONG RESIDENT OF JASPER COUNTY. COUNCILMAN TUTEN SAID HE HOPED THE COUNCIL WOULD CONSIDER DOING SOMETHING TO HONOR MS. INGRAM. MILTON WOODS SPOKE AT THE REQUEST OF COUNCILMAN TUTEN AND HE SAID THE TOWN WAS ALSO GOING TO DO SOMETHING TO HONOR MS. INGRAM.

COUNCILMAN BLACKSHEAR SAID HE HAS RECEIVED MANY CALLS REGARDING THE BOARDS AND COMMISSION APPOINTMENTS AND HE REQUESTED THAT THE COUNCIL SCHEDULE A WORKSHOP TO REVISIT THE JOINT PLANNING ISSUES. VICE CHAIRMAN JONES SAID SHE FELT THAT THE JOINT PLANNING AREA ISSUES NEEDED TO BE RESOLVED BEFORE THE BOARDS AND COMMISSIONS WERE APPOINTED. CHAIRMAN HOOD SAID HE WOULD SCHEDULE A MEETING BETWEEN THANKSGIVING AND CHRISTMAS. CHAIRMAN HOOD SAID HE WOULD LIKE TO DO SOMETHING SPECIAL FOR THE PLANNING COMMISSION TO SHOW THE COUNCIL'S APPRECIATION FOR ALL THEIR HARD WORK. HE ASKED COUNCIL TO CONSIDER WHAT COULD BE DONE.

**ADMINISTRATORS REPORTS:**

MR. FULGHUM SAID THAT HE WAS WORKING WITH LCOG REGARDING AFFORDABLE HOUSING AND THAT THE COUNTY NEEDED TO DO AN ASSESSMENT STUDY REGARDING AFFORDABLE HOUSING. MR. FULGHUM SAID THAT HE SPOKE WITH A CONSULTANT ON HOW THE NEEDS ASSESSMENT COULD BE DONE AND WHAT TOOLS TO PUT IN PLACE IN THE ZONING ORDINANCE TO ENCOURAGE AFFORDABLE HOUSING AND HE WILL BE COMING BACK TO COUNCIL WITH A REQUEST TO APPROVE A STUDY AT A FUTURE MEETING.

MR. FULGHUM SAID THAT DOUG COOK WAS HIRED AS THE CODE ENFORCEMENT OFFICER FOR THE COUNTY AND MR. FULGHUM ASKED THE COUNCIL FOR A POLICY AND DIRECTION ON IMPLEMENTING CODE ENFORCEMENT PRIORITIES.

MR. FULGHUM SAID THAT A GROUND BREAKING CEREMONY WILL BE SCHEDULED FOR THE ANNEX BUILDING.

CHAIRMAN HOOD ASKED ABOUT A PLANNER AND MR. FULGHUM SAID THAT POSITION WILL BE ADVERTISED UNTIL IT IS FILLED AND HE WAS SEEKING A PROFESSIONAL PLANNER WITH EXPERIENCE AND THAT THE SEARCH HAS NOT BEEN SUCCESSFUL TO DATE. VICE CHAIRMAN JONES ASKED ABOUT THE ASSESSOR'S POSITION. CHAIRMAN HOOD SAID HE WANTED A TIMELINE AS TO WHEN A PLANNER AND ASSESSOR WOULD BE HIRED. MR. FULGHUM SAID HE WAS LOOKING FOR A PLANNING DIRECTOR, NOT THE PLANNER. CHAIRMAN HOOD SAID FUNDING HAS BEEN APPROVED FOR BOTH. MR. MALPHRUS SAID THE ASSESSOR'S POSITION HAS BEEN READVERTISED AND THE DATE HAS CLOSED AND THEY WOULD BE INTERVIEWING AFTER THANKSGIVING. MR. MALPHRUS SAID HE FELT THEY HAD SOME GOOD APPLICANTS.

MR. MALPHRUS REPORTED THAT THE DELINQUENT TAX SALE WAS HELD ON NOV. 5, 2007 AND THAT 211 PARCELS WERE SOLD FOR \$978,550.00. MR. MALPHRUS SAID THE ACTUAL TAXES OWED ON THE 211 PARCELS WAS \$136,000.00. VICE CHAIRMAN JONES ASKED HOW MANY DID THE COUNTY PURCHASE AND MR. MALPHRUS SAID NONE, THAT ALL THE PARCELS WERE SOLD. COUNCILMAN BLACKSHEAR ASKED ABOUT PAYING THE TAXES IN INSTALLMENTS AND IF ANY PROGRESS WAS MADE ON HIS PREVIOUS REQUESTS ON THIS MATTER. MR. MALPHRUS SAID THAT WAS PART OF HIS WORKPLAN AND HE SHOULD HAVE SOMETHING FOR COUNCIL BY FEB. OR MAR., 2008.

VICE CHAIRMAN JONES ASKED IF THE AUDITOR HIRED THE TAG ENFORCEMENT OFFICER AND WERE ANY FUNDS COLLECTED. MR. MALPHRUS SAID THE PERSON HAS BEEN HIRED AND HE IS CURRENTLY RESEARCHING SEVERAL CASES.

**OPEN THE FLOOR TO THE PUBLIC:**

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

DOUG COOK ASKED THE CLERK IF SHE HAD THE COMPLETED ZONING AND LDR DOCUMENTS IN HER OFFICE. THE CLERK RESPONDED SHE DID NOT SINCE THE DOCUMENT WAS AMENDED AT THIS MEETING. MR. COOK SAID THAT ACCORDING TO S.C. LAW SECTION 4-9-130 THE COUNCIL BROKE THE LAW.

DEL DAVIDSON SAID HE WAS NOT PLEASED WITH THE TREE ORDINANCE AND HE FELT THINGS WERE SNEAKED THROUGH AND HE FELT THINGS SHOULD HAVE BEEN ADDRESSED IN A PUBLIC HEARING. MR. DAVIDSON SAID HE WROTE A LETTER TO THE RMC AND THE 14<sup>TH</sup> AMENDMENT STATES THAT PEOPLE'S PROPERTY CANNOT BE TAKEN AND THE TAX SYSTEM SHOULD NOT BE ALLOWED TO BE APPLIED TO THE LAND AND HE DOES NOT LIKE ANYONE TELLING HIM HE CANNOT CUT DOWN HIS TREES ON HIS PROPERTY.

CAROLYN FLINT VOICED HER CONCERNS OVER THE AUTHORITY OF THE DSR IN THE ZONING ORDINANCE. MS. FLINT SAID THE DSR HAS BEEN GIVEN UNLIMITED AUTHORITY AND POWER AND SHE WAS WONDERING HOW THAT AFFECTED THE POWER AND AUTHORITY OF THE COUNTY COUNCIL. CHAIRMAN HOOD SAID THAT THE COUNCIL HAS THE DELEGATION AUTHORITY AND THE BUCK STOPS AT THE COUNCIL

AND HE WANTED STAFF HIRED AND HE WAS PUSHING THE ADMINISTRATOR TO GET IT DONE. MS. FLINT SAID THE DSR REVIEWS, AUTHORIZES, COLLECTS FEES AND EVERYTHING GOES THROUGH THE DSR. SHE SAID IT APPEARS AS IF ONE PERSON IS THE GOVERNING AUTHORITY AND THE DSR IS WRITTEN AS ONE PERSON, NOT SEVERAL PEOPLE AS WAS PREVIOUSLY STATED AND THERE ARE NO CHECKS AND BALANCES IN PLACE TO PREVENT THE DSR FROM ABUSING HIS POWER. MS. FLINT SAID THERE ARE 19 PAGES LISTING THE AUTHORITY AND POWER OF THE DSR AND THIS ISSUE DESERVES ATTENTION. CHAIRMAN HOOD SAID THAT IF A PERSON IS NOT DOING HIS JOB, THEN HE NEEDS TO BE REMOVED. CHAIRMAN HOOD SAID THE FUNDS ARE THERE TO HIRE A QUALITY PERSON.  
BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

**EXECUTIVE SESSION:**

VICE CHAIRMAN JONES MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS CONTRACTUAL, LEGAL AND EMPLOYMENT MATTERS. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD LEFT THE MEETING DURING EXECUTIVE SESSION AND VICE CHAIRMAN JONES CONDUCTED THE MEETING.

**RETURN TO REGULAR SESSION:**

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE TO RETURN TO REGULAR SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN JONES ASKED FOR ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION.

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE RESTRUCTING OF THE OFFICERS IN THE SHERIFF'S OFFICE AND TO ORDER JOB DESCRIPTIONS FOR THOSE POSITIONS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THE APPOINTED SHERIFF WILL CONTINUE TO RECEIVE THE SAME SALARY AS THE DECEASED SHERIFF (\$64,049.65) AND WHEN THE NEW SHERIFF IS ELECTED THE SALARY WILL GO TO THE SALARY FROM THE COMPENSATION STUDY (\$76,166.87) THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. MR. FULGHUM ASKED WHEN THIS WENT INTO EFFECT AND THE COUNCIL SAID AS OF 11/13/2007.

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO HAVE THE STAFF RESEARCH THE STUDY REGARDING THE MAGISTRATE AND PROBATE JUDGES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO ACCEPT THE MANNING PROPERTY AT THE APPRAISED VALUE WITHOUT THE HOUSE AND TO HAVE ATTORNEY JOHNSON MOVE THE HOUSE AS SOON AS POSSIBLE. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO PURCHASE THE KNOWLES PROPERTY FOR \$146,000.00 AND THAT THE PROPERTY WOULD BE USED TO HOUSE THE ATTORNEY AND HIS PARALEGAL. THE MOTION CARRIED WITH COUNCILMEN TUTEN, TYLER AND BLACKSHEAR VOTING FOR., VICE CHAIRMAN JONES VOTED AGAINST. VICE CHAIRMAN STATED FOR A THE RECORDED THAT SHE FELT THE COUNTY HAD ADEQUATE OFFICE SPACE WITHOUT PURCHASEING ADDITIONAL PROPERTY.

COUNCILMAN TUTEN MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO ALLOW AGAPE TO USE THE OLD MOBILE OFFICE AT THE HOSPITAL AS A

CONSTRUCTION TRAILER AND A BASE FOR THEIR AMBULANCE AND THE COUNCIL WOULD SELL THEM THE OLD MOBILE OFFICE FOR \$100.00, BUT THEY WOULD HAVE TO REMOVE THE OLD MOBILE OFFICE FROM THE SITE WHEN CONSTRUCTION WAS COMPLETED. THE MOTION WAS CARRIED WITH VICE CHAIRMAN JONES, COUNCILMEN TUTEN, AND BLACKSHEAR VOTING FOR; COUNCILMAN TYLER VOTED AGAINST.

**ADJOURN:**

COUNCILMAN TUTEN MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 11:10 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

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JUDITH M. FRANK, CCC  
CLERK TO COUNCIL

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DR. GEORGE M. HOOD  
CHAIRMAN