



**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
DECEMBER 14, 2009  
4:00 P.M.**

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**MINUTES**

**OFFICIALS PRESENT:**

DR. GEORGE HOOD, CHAIRMAN  
LEROY BLACKSHEAR, VICE CHAIRMAN  
HUBERT TYLER, COUNCILMAN  
HENRY ETHERIDGE, COUNCILMAN  
REV. SAMUEL GREGORY, COUNCILMAN

**STAFF PRESENT:**

ANDREW FULGHUM, ADMINISTRATOR  
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES  
JUDITH FRANK, CLERK TO COUNCIL  
MARVIN JONES, ATTORNEY  
DALE TERRY, DEP. ADM. ENG. SER.  
WILBUR DALEY, DEP. ADM. EMG. SER.  
DAVID JIROUSEK, PLANNING DIRECTOR  
SUSAN WAITE, ASSESSOR  
MARGARET BOSTICK, CLERK OF COURT  
ARTHUR BENJAMIN, DETENTION CENTER DIRECTOR  
HERMAN SMITH, BUILDING DIRECTOR  
CHRISTY HERMAN, DEVELOPMENT PROJECT COORDINATOR

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 4:00 P.M.

**INVOCATION:**

VICE CHAIRMAN BLACKSHEAR OFFERED THE INVOCATION.

**APPROVAL OF THE MINUTES:**

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE MINTES OF NOVEMBER 12, 2009 AND NOV. 18, 2009 BUDGET CONTINGENCY PLANNING WORKSHOPS, NOV. 4, 2009 ROAD MAINTENANCE WORKSHOP ND RECEIVE FOR INFORMATION MINUTES FROM THE 10/8/2009M 10/28/2009 AND 11/19/2009 BZA MEETINGS, 11/9/09 TRANSPORTATION COMMITTEE MEETING, 11/09/2009 DEVELOPMENT SERIVES COMMITTEE MEETING, 11/23/2009 ENGINEERING COMMITTEE MEETING WITH IF ANY CORRECTIONS. COUNCILMAN ETHERIDGE ASKED THAT THE MINUTES OF 11/18/09 BUDGET WORKSHOP BE CHANGED TO SAY A CITIZEN OF GRAYS CALLED LCOG. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PROCLAMATIONS AND PRESENTATIONS:**

**JIMMY BAKER – PRESENTATION OF RDA CHECK FROM PALMETTO ELECTRIC:**

MR. BAKER SAID THAT THE MAJORITY OF THE FUNDS DONATED THIS YEAR ARE DESIGNATED FOR INFRASTRUCTURE AT THE CYPRESS RIDGE BUSINESS INDUSTRIAL PARK AND A PORTION OF THE FUNDS ARE TO BE USED TO MAKE SPEC BUILDING #3 LEED CERTIFIED. MR. BAKER SAID THAT THERE IS ANOTHER POOL OF MONEY THAT THEY HAVE APPLIED FOR, AND HOPEFULLY HE WILL HAVE ANOTHER CHECK FOR THE COUNTY. MR. BAKER STATED THAT PALMETTO ELECTRIC HAS GIVEN THE COUNTY \$2,000,000.00 IN RDA FUNDS TO DATE. MR. BAKER COMMENDED MRS. JAN BAXTER WHO HAS BEEN WORKING THE FRONT LINE TO MAKE THIS HAPPEN. CHAIRMAN HOOD THANKED PALMETTO ELECTRIC, JIMMY BAKER AND JAN BAXTER FOR THE FUNDS AND ALL THAT THEY DO FOR THE COUNTY.

**COACH DANKINS AND COACH FABER – HIGH SCHOOL BASKETBALL PROGRAM:**

COACH DANKINS AND COACH FABER WERE NOT PRESENT.

**MARGARET BOSTICK, CLERK OF COURT - UPDATE ON COURTHOUSE:**

MS. BOSTICK INFORMED THE COUNCIL THAT THE ALLOCATED SPACE ON THE PLANS WAS RELABELED AND NO ADDITIONAL COSTS WERE INVOLVED. MS. BOSTICK SAID THAT PROBATE JUDGE MALPHRUS APPROVED THE PLAN AND NEITHER HER DEPARTMENT NOR THE PROBATE JUDGE’S DEPARTMENT GAINED ANY SPACE. MS. BOSTICK SAID THAT THE PROBATE JUDGE AGREED TO ARCHIVE HIS RECORDS IN THE ALLOTTED BASEMENT AREA. MS. BOSTICK ASKED THE COUNCIL TO CONSIDER ALLOWING THE SOLICITOR AND THE PUBLIC DEFENDER HAVE OFFICE SPACE IN THE MARY GORDON ELLIS BUILDING WHEN THE COURTHOUSE RENOVATION WORK IS COMPLETED. MS. BOSTICK SAID THAT SHE DISCUSSED THIS WITH MR. FULGHUM. COUNCILMAN TYLER ASKED IF THE COURTHOUSE RENOVATION WAS ON SCHEDULE. MS. BOSTICK SAID THAT MR. FULGHUM COULD BETTER ANSWER THAT QUESTION. MR. FULGHUM SAID THE RENOVATION WORK IS 50% COMPLETE. COUNCILMAN ETHERIDGE ASKED IF THE PROBATE JUDGE GAINED ANY SPACE. MS. BOSTICK SAID THAT NEITHER

THE PROBATE JUDGE OR THE CLERK OF COURT GAINED ANY SPACE NOR DID THEY LOSE ANY SPACE.

**PUBLIC HEARINGS AND ORDINANCES:**

**DAVID JIROUSEK – 3<sup>RD</sup> READING OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR SIGNS IN JASPER COUNTY; TO ADD DEFINITIONS TO TERMS TO ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CERTAIN DEFINITIONS OF TERMS FROM ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL ARTICLE 15 OF THE JASPER COUNTY ZONING ORDINANCE TO ADOPT A NEW ARTICLE 15 FOR THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CHAPTER 22 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 8:5.7 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 17:2:2 OF THE JASPER COUNTY ZONING ORDINANCE; AND TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE:**

MR. JIROUSEK SAID THIS ORDINANCE WAS CREATED TO COMBINE 4 SEPARATE ORDINANCES. MR. JIROUSEK SAID THE PLANNING COMMISSION REVIEWED THE SANDWICH BOARD ISSUE, AND THEY STAND BY THEIR PREVIOUS RECOMMENDATION. MR. JIROUSEK SAID THE PLANNING COMMISSION RECOMMENDED THAT DIGITAL SIGNS NOT BE ALLOWED IN POINT SOUTH, UNLESS THE COUNTY IMPROVEMENT DISTRICT RECOMMENDS THEM. MR. JIROUSEK EXPLAINED THAT THE CAP AND PLACE SYSTEM ALLOWS NEW BILLBOARDS IN THE INDUSTRIAL DEVELOPMENT AND GENERAL COMMERCIAL DISTRICT IF 3-4 BILLBOARDS ARE REMOVED WITHIN OTHER DISTRICTS. MR. JIROUSEK TOLD THE COUNCIL THAT THE PLANNING COMMISSION RECOMMENDED LENIENCY ON NON-CONFORMING BILLBOARDS WHEN THEY HAVE BEEN DESTROYED BY VANDALISM OR A CRIMINAL ACT BY A PARTY NOT ASSOCIATED WITH THE ADVERTISING AGENCY OR LANDOWNER. MR. JIROUSEK SAID THAT THE ORDINANCE PROHIBITS THE REPLACEMENT OF WOOD STRUCTURES WITH STEEL STRUCTURES AS IT WOULD BE CONSIDERED A NEW BILLBOARD AND ONLY PERMITTED UNDER SECTION 12:8.2. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE AMENDMENTS TO THE ORDINANCE AS PRESENTED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILMAN TYLER MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO REVISE THE REQUIREMENTS FOR SIGNS IN JASPER COUNTY; TO ADD DEFINITIONS TO TERMS TO ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CERTAIN DEFINITIONS OF TERMS FROM ARTICLE 4 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL ARTICLE 15 OF THE JASPER COUNTY ZONING ORDINANCE TO ADOPT A NEW ARTICLE 15 FOR THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL CHAPTER 22 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 8:5.7 OF THE JASPER COUNTY ZONING ORDINANCE; TO REPEAL SECTION 17:2:2 OF THE JASPER COUNTY ZONING ORDINANCE;

AND TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES - 1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND JASPER COUNTY CODE OF ORDINANCES § 25-58(1) AND (2) SO AS TO INVEST THE AUTHORITY FOR ACCEPTING ROADS INTO THE SYSTEM OF COUNTY MAINTAINED PUBLIC ROADS IN JASPER COUNTY:**

MR. JONES EXPLAINED THAT THE ENGINEERING SERVICES COMMITTEE RECOMMENDED CHANGING ORDINANCE § 25-58(1) AND (2) REGARDING THE COUNCIL APPROVING ROADS THAT WOULD BECOME PART OF THE COUNTY MAINTAINED ROAD SYSTEM. COUNCILMAN GREGORY SAID HE FELT THE COUNCIL, NOT THE PLANNING COMMISSION, SHOULD MAKE THE DECISION DUE TO THE COST TO THE TAXPAYERS. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND JASPER COUNTY CODE OF ORDINANCES § 25-58(1) AND (2) SO AS TO INVEST THE AUTHORITY FOR ACCEPTING ROADS INTO THE SYSTEM OF COUNTY MAINTAINED PUBLIC ROADS IN JASPER COUNTY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM - 1<sup>ST</sup> READING OF THE ORDINANCE REGARDING THE LEASE AGREEMENT - JASPER COUNTY AND HOME TOWN TITLE:**

MR. FULGHUM EXPLAINED THAT THE ORDINANCE WAS TO APPROVE AMENDING THE ORIGINAL LEASE WITH HOME TIME TITLE SO AS TO CHANGE THE LOCATION FROM THE ORIGINAL PROPERTY LISTED IN THE LEASE TO THE MALPHRUS BUILDING FOR THE BALANCE OF THE 10 YEAR TERM OF THE LEASE. MR. FULGHUM SAID THE CURRENT LOCATION WOULD BE DEMOLISHED AND USED FOR ADDITIONAL PARKING. COUNCILMAN ETHERIDGE ASKED ABOUT THE PROBATE JUDGE'S ISSUE. MR. FULGHUM SAID THE ISSUE WAS RESOLVED. COUNCILMAN GREGORY SUGGESTED OFFERING THE HOUSE FOR SALE FOR THE COST OF MOVING IT. MR. FULGHUM SAID THE MOST PRACTICAL SOLUTION WOULD BE TO DEMOLISH IT. COUNCILMAN GREGORY SAID THAT PEOPLE ARE LOOKING FOR HOMES AND IF SOMEONE WANTED IT, AND THEY WOULD PAY TO MOVE IT, IT WOULD NOT COST THE COUNTY ANY MONEY. COUNCILMAN ETHERIDGE ASKED IF SOMETHING WAS WRONG WITH THE HOUSE. MR. FULGHUM SAID THERE WAS SOME TERMITE DAMAGE, BUT THEY WOULD HAVE TIME TO DO WHAT COUNCILMAN GREGORY SUGGESTED. MR. FULGHUM SAID HE WOULD PURSUE IT AND SEE IF ANYONE IS INTERESTED IN MOVING THE HOUSE AT NO COST TO THE COUNTY. COUNCILMAN GREGORY SAID HE WOULD LIKE TO INSPECT THE HOUSE. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTON THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE REGARDING THE LEASE AGREEMENT - JASPER COUNTY AND HOME TOWN TITLE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS:**

THERE WERE NO RESOLUTIONS.

**OLD BUSINESS:**

**DAVID JIROUSEK – POINT SOUTH COUNTY IMPROVEMENT DISTRICT CONTRACT:**

MR. JIROUSEK EXPLAINED THE COUNCIL PREVIOUSLY APPROVED FUNDING, AND HE PRESENTED A CONTRACT FROM LSL PLANNING IN THE AMOUNT OF \$49,020.00. COUNCILMAN GREGORY ASKED HOW MANY COMPANIES WERE CONTACTED. MR. JIROUSEK SAID THAT THE COUNTY USED THIS COMPANY IN JULY AS CONSULTANTS. MR. JIROUSEK DISCUSSED THE POINT SOUTH COUNTY IMPROVEMENT DISTRICT PLAN, WHICH WILL BE THE OVERALL STRATEGY BY WHICH JASPER COUNTY MAY CARRY OUT IMPROVEMENTS WITHIN THE PROJECT AREA TO INCREASE TOURISM, ENHANCE VITALITY, PRESERVE PROPERTY VALUES, PREVENT DETERIORATION AND PRESERVE THE TAX BASE AT THE EXIT 33 INTERCHANGE. MR. JIROUSEK CONTINUED THAT A VISION FOR NEW DEVELOPMENT WILL BE CREATED THAT WILL ALLOW BUSINESSES TO BENEFIT FROM INCREASED TOURIST-RELATED TRAVEL, AS THE INTERCHANGE IS CONSIDERED A KEY "GATEWAY" TO VACATION DESTINATIONS. MR. JIROUSEK EXPLAINED THAT THE IMPROVEMENTS WILL BE FINANCED THROUGH A SPECIAL ASSESSMENT, TIF AND OTHER POSSIBLE INNOVATIVE METHODS WHILE ZONING TOOLS WILL BE USED TO ENSURE HIGH-QUALITY DEVELOPMENT. COUNCILMAN ETHERIDGE COMMENTED THAT POINT SOUTH IS THE ONLY EXIT ON I-95 THAT IS LOCATED IN THE COUNTY. COUNCILMAN ETHERIDGE STATED THAT THE OTHER EXISTS ARE LOCATED IN THE MUNICIPALITIES. MR. JIROUSEK SAID THE \$11,000.00 BALANCE FROM THE \$60,000.00 PREVIOUSLY APPROVED COULD BE USED FOR ADDITIONAL ENGINEERING COSTS IF NEEDED. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE CONTRACT WITH LSL PLANNING IN THE AMOUNT OF \$49,020.00 AND THAT IT BE PAID WITH A-TAX FUNDS THAT WERE PREVIOUSLY APPROVED. THEM TION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM – PRESENTATION OF BID: FINGERPRINT AND ARCHIVE EQUIPMENT AT DETENTION CENTER AND PRESENTATION OF PROPOSAL FROM NEW WORLD SOFTWARE INTERFACE FOR DETENTION CENTER:**

MR. FULGHUM PRESENTED THE BID FOR TO PURCHASE THE FINGER PRINTING AND ARCHIVING EQUIPMENT FOR THE DETENTION CENTER IN THE AMOUNT OF \$67,696.00 AND REQUESTED THE FLEXIBILITY TO USE THE BALANCE OF THE GRANT FUNDING TO PURCHASE EXTRA ITEMS. MR. FULGHUM SAID NO FUNDS IN EXCESS OF THE GRANT WILL BE SPENT. COUNCILMAN ETHERIDGE ASKED IF THIS WAS THE FIRST STIMULUS GRANT THE COUNTY HAS RECEIVED. MR. FULGHUM SAID HE WAS NOT SURE IF THIS WAS THE FIRST GRANT. COUNCILMAN ETHERIDGE ASKED HOW THIS CONTRACT WAS PUT OUT TO BID. MR. MALPHRUS SAID IT WAS ADVERTISED ON THE COUNTY WEBSITE, THE LOCAL PAPER, AND IN SCBO. MR. FULGHUM SAID THE FINGER PRINTING IS COMPUTERIZED AND THEN

THE PRINTS ARE MADE AVAILABLE TO OTHER DEPTMENTS AND AGENCIES. COUNCILMAN GREGORY ASKED WHAT THE COUNTY USING NOW WAS. MR. BENJAMIN RESPONDED THAT IT WAS DONE MANUALLY. COUNCILMAN GREGORY ASKED IF IT WOULD BE USED FOR CHILDREN FOR SAFETY AND IDENTITY REASONS. MR. BENJAMIN RESPONDED THAT IT WOULD ONLY BE USED ON THE PRISONERS. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY MOTIONED TO APPROVE THE BIDS FOR THE FINGER PRINTING EQUIPMENT AND ARCHIVING EQUIPMENT AND THAT THE ADMINISTRATOR HAVE THE FLEXIBILITY TO USE THE BALANCE OF THE GRANT FUNDS ON THE EXTRA ITEMS NEEDED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM – PROFESSIONAL SERVICES PROPOSAL: HARDEEVILLE INDUSTRIAL PARK DRAINAGE IMPROVEMENTS:**

MR. FULGHUM PRESENTED THE PROFESSIONAL SERVICE CONTRACT FROM BP BARBER FOR PRELIMINARY ENGINEERING SERVICES ASSOCIATED WITH REGULATORY COORDINATION FOR THE PROPOSED DRAINAGE IMPROVEMENTS AT THE INDUSTRIAL PARK LOCATED IN THE CITY OF HARDEEVILLE, SC. MR. FULGHUM SAID THAT THE STAFF HAS FOUND SOME CBDG FUNDS AND IS IN CONTACT WITH DHEC TO SEE IF THEY WILL APPROVE THE COUNTY DOING THE JOB TO MOVE THIS PROJECT FORWARD. MR. FULGHUM SAID THE CONTRACT IS BASED ON AN HOURLY RATE NOT TO EXCEED \$4,500.00. COUNCILMAN ETHERIDGE ASKED IF THE INDUSTRIAL PARK WAS IN HARDEEVILLE WHEN IT WAS CREATED. MR. FULGHUM RESPONDED THAT IT IS IN HARDEEVILLE NOW. MR. FULGHUM SAID THE CBDG FUNDS ARE FOR USE BY THE COUNTY OR OTHER ENTITIES. COUNCILMAN ETHERIDGE SAID IF THE COUNTY DOES NOT OWN THE PARK, WHY IS THE COUNTY RESPONSIBLE AND WILL THE COUNTY BE RESPONSIBLE FOREVER. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE PROFESSIONAL SERVICE CONTRACT (NOT TO EXCEED \$4,500.00 AND TO BE PAID WITH CBDG FUNDS AND GRANT MATCHING FUNDS) WITH BP BARBER FOR PRIMARY ENGINEERING SERVICES ASSOCIATED WITH REGULATORY COORDINATION FOR PROPOSED DRAINAGE IMPROVEMENTS IN THE INDUSTRIAL PARK LOCATED IN HARDEEVILLE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**NEW BUSINESS:**

**DAVID JIROUSEK – PROFESSIONAL SERVICE CONTRACT: ON-CALL ENGINEERING SERVICES:**

MR. JIROUSEK PRESENTED THE PROFESSIONAL SERVICE CONTRACT FOR ON-CALL ENGINEERING SERVICES WITH THOMAS AND HUTTON ENGINEERING. THE CONTRACT IS ON AN AS NEEDED BASIS. MR. JIROUSEK SAID THEY ARE PUTTING TOGETHER A TEAM OF EXPERTS ON AN ON-CALL BASIS TO HAVE THE HIGHEST LEVEL OF OUTSIDE EXPERTISE ON ANY GIVEN ENGINEERING RELATED PROJECTS. MR. JIROUSEK REMINDED THE COUNCIL OF THE ON CALL PROFESSIONAL SERVICE CONTRACT THAT THE COUNTY HAS WITH ATM. MR. JIROUSEK SAID THAT PRE-APPROVED

TASK ORDER INVOICES WILL BE PAID THROUGH THE PLANNING DEPARTMENT'S PLANNING EXPENSES LINE IN THE BUDGET. MR. JIROUSEK SAID HE RECEIVED 8 PROPOSALS AND RECOMMENDS THE APPROVAL OF THE PROPOSAL FROM THOMAS AND HUTTON ENGINEERING. COUNCILMAN GREGORY ASKED WHAT THE FIRM WILL BE DOING. MR. JIROUSEK SAID THAT THE COUNTY DOES NOT HAVE A CIVIL ENGINEER WORKING FOR THE COUNTY AND THIS FIRM WILL REVIEW THE CIVIL ENGINEERING PLANS TO MAKE SURE THAT EVERYTHING IS BEING DONE ACCORDING TO THE ORDINANCES AND SPECIFIC PRACTICES OF THE COUNTY. COUNCILMAN GREGORY ASKED HOW IT WAS HANDLED IN THE PAST. MR. JIROUSEK SAID THE COUNTY HAS BEEN DOING IT THIS WAY FOR SEVERAL YEARS. COUNCILMAN GREGORY SAID HE WAS UPSET WITH ADMINISTRATION BECAUSE MONEY CAN BE FOUND FOR PROJECTS; HOWEVER, THEY DID NOT HAVE ANY MONEY TO SAVE PEOPLE'S JOBS. MR. FULGHUM EXPLAINED THAT THE PROPOSAL WILL PROVIDE QUALIFIED REVIEWS ON ALL ASPECTS OF DEVELOPMENT AND THE DEVELOPER WILL PAY FOR IT. COUNCILMAN GREGORY SAID THEY NEEDED TO DO MORE HOMEWORK. CHAIRMAN HOOD SAID THEY WERE TALKING ABOUT TWO DIFFERENT THINGS AND THAT THE MONEY THAT COMES FROM THE DEVELOPERS CANNOT BE USED FOR EMPLOYEES. COUNCILMAN ETHERIDGE SAID THAT ALL THE ADMINISTRATION CAN SPEND WITHOUT COMING BACK TO COUNCIL FOR APPROVAL IS THE AMOUNT THAT WAS APPROVED IN THE BUDGET. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE PROFESSIONAL SERVICE CONTRACT FOR ON-CALL SERVICES WITH THOMAS AND HUTTON ENGINEERING CO. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR AND COUNCILMEN TYLER AND ETHERIDGE VOTING FOR; COUNCILMAN GREGORY VOTED AGAINST.

**ANDREW FULGHUM - PRESENTATION OF BIDS: SPECULATIVE BUILDING 3, CYPRESS RIDGE BUSINESS INDUSTRIAL PARK:**

MR. FULGHUM PRESENTED THE BIDS FOR SPEC BUILDING 3 AT CRBIP AND ASKED THE COUNCIL TO APPROVE THE LOW BID OF \$629,000.00 FROM ASCENT CONTRACTING AND TO APPROVE A CONTRACT WITH SME IN THE AMOUNT OF \$12,043.00 FOR TESTING. MR. FULGHUM ASKED THE COUNCIL TO APPROVE A CONSTRUCTION BUDGET \$702,495.00 FOR SPEC BUILDING #3, WHICH INCLUDES A CONTINGENCY AMOUNT, INSPECTION CONTRACT, AND TESTING CONTRACT. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE A \$702,495.00 CONSTRUCTION BUDGET FOR SPEC. BUILDING #3 AT CYPRESS RIDGE BUSINESS INDUSTRIAL PARK. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM - PRESENTATION OF STORAGE SYSTEM PROPOSAL FOR BASEMENT OF COUNTY COURTHOUSE:**

MR. FULGHUM STATED THAT THE ITEMS ARE COVERED UNDER THE STATE CONTRACT AND THE COUNTY WOULD GET THE STATE CONTRACT PRICES FOR THE STORAGE SYSTEM. MR. FULGHUM SAID THE COUNTY

PROCUREMENT POLICY AUTHORIZES THE USE OF COMPANIES ON THE STATE CONTRACT, AND HE DID NOT HAVE TO ADVERTISE THEM FOR BID. MR. FULGHUM SAID THIS IS THE SAME PROCEDURE THAT WAS FOLLOWED FOR THE GOVERNMENT BUILDING. MR. FULGHUM SAID THE CONTRACT FOR THE PROPOSED STORAGE FOR THE COURTHOUSE IS IN THE AMOUNT OF \$44,730.80. COUNCILMAN ETHERIDGE SAID HE FELT THAT EVEN THOUGH THEY ARE ON THE STATE VENDORS APPROVED LIST; HE FELT IT SHOULD HAVE BEEN ADVERTISED FOR BID, AND THEY SHOULD HAVE RECEIVED ESTIMATES FROM OTHER COMPANIES. MR. FULGHUM SAID THAT HE UNDERSTOOD THAT. HOWEVER, HE WANTED THE COUNCIL TO KNOW HE WOULD BE WORKING WITH OTHER VENDORS ON THE STATE CONTRACT AS THE COUNTY'S PROCUREMENT POLICY AUTHORIZES HIM TO DO SO. COUNCILMAN ETHERIDGE SAID THAT THE ADMINISTRATION KNEW THAT STORAGE WAS GOING TO BE NEEDED, AND HE FELT IT SHOULD HAVE BEEN PUT OUT FOR BIDS. MR. FULGHUM SAID HE RESERVES THE RIGHT TO PURCHASE ON THE STATE CONTRACT, AND HE INTENDED TO DO IT FOR THE FURNITURE FOR THE COURTHOUSE. MR. FULGHUM SAID THAT IF THE COUNCIL DID NOT WANT HIM TO USE THE STATE CONTRACT VENDORS, HE NEEDED TO KNOW THAT NOW. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE BID FOR THE BASEMENT STORAGE FROM POPE PATTERSON IN THE AMOUNT OF \$44,730.80. THE MOTION CARRIED WITH COUNCILMEN TYLER AND GREGORY, VICE CHAIRMAN BLACKSHEAR AND CHAIRMAN HOOD VOTING FOR; COUNCILMAN ETHERIDGE VOTED AGAINST.

**COMMITTEE REPORTS:**

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO RE-APPOINT JENNIFER CARTER TO THE LRTA BOARD OF DIRECTORS FOR A THREE YEAR TERM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ADMINISTRATOR'S REPORT:**

**ANDREW FULGHUM – REVIEW OF CHANGE ORDERS FOR COURTHOUSE RENOVATION PROJECT:**

MR. FULGHUM PROVIDED THE COUNCIL WITH A WRITTEN REPORT COVERING THE CHANGE ORDERS FOR WORK AT THE COURTHOUSE. THE TOTAL OF THE CHANGE ORDERS PRESENTED WAS \$122,005.32, WHICH BRINGS THE TOTAL TO 41% OF THE COURTHOUSE CONTINGENCY FUND BEING USED. MR. FULGHUM SAID THE RENOVATION OF THE COURTHOUSE IS 50% COMPLETE. MR. FULGHUM SAID THE ADMINISTRATOR HAS THE AUTHORITY TO APPROVE THE CHANGE ORDERS, AND THAT HE ONLY NEEDED TO KEEP THE COUNCIL INFORMED. CHAIRMAN HOOD ASKED ABOUT THE REPAIRS IN THE BASEMENT AND WHY THEY WERE NOT FORSEEN. MR. FULGHUM SAID HE WOULD PROVIDE THE CHAIRMAN WITH MORE SPECIFIC INFORMATION.

STEVEN MALPHRUS UPDATED THE COUNCIL ON THE NEW COMMUNICATION TOWER AND INFORMED THEM THAT PUBLIC WORKS CLEARED THE LAND AND DID THE SITE WORK WHICH SAVED THE COUNTY A LOT OF MONEY.

MR. MALPHRUS ADDED THAT THE FOUNDATION HAS BEEN INSTALLED. COUNCILMAN ETHERIDGE ASKED WHEN IT WOULD BE COMPLETE AND MR. MALPHRUS RESPONDED IT SHOULD BE DONE BY JANUARY. CHAIRMAN HOOD ASKED IF THE TOWERS CAUSE ANY HEALTH ISSUES. MR. MALPHRUS SAID THERE WOULD ONLY BE HEALTH ISSUES IF SOMEONE WAS RIGHT UNDER THE TOWER 24/7.

**OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER INDIVIDUAL):**

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

**EXECUTIVE SESSION:**

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR THE 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; DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE 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; 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. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RETURN TO OPEN SESSION:**

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

CHAIRMAN HOOD SAID THAT THE COUNCIL DISCUSSED LEGAL, CONTRACTUAL AND EMPLOYMENT MATTERS, AND HE TOLD THE ADMINISTRATOR TO MOVE FORWARD AS DISCUSSED. CHAIRMAN HOOD SAID NO MOTION WAS NEEDED.

**ADJOURN:**

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

THE MEETING ENDED AT 7:05 P.M.

RESPECTFULLY SUBMITTED BY:

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JUDITH M. FRANK, ccc  
CLERK TO COUNCIL

APPROVED BY:

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DR. GEORGE M. HOOD  
CHAIRMAN