



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
358 THIRD AVE., RIDGELAND, SC 29936
DECEMBER 14, 2011, 4:30 P.M.
MINUTES**

OFFICIALS PRESENT: CHAIRMAN LEROY BLACKSHEAR, VICE CHAIRMAN SAMUEL GREGORY, COUNCILMAN HENRY ETHERIDGE, COUNCILMAN THEODUS L. DRAYTON, COUNCILMAN L. MARTIN SAULS IV.

STAFF PRESENT: ADMINISTRATOR ANDREW FULGHUM, DEPUTY ADMINISTRATOR GEORGE HOOD, ATTORNEY MARVIN JONES, CLERK TO COUNCIL JUDITH FRANK

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.

CHAIRMAN BLACKSHEAR CALLED THE MEETING TO ORDER AT 4:30 P.M.

PLEDGE OF ALLEGIANCE- CHAIRMAN BLACKSHEAR LED THE PLEDGE OF ALLEGIANCE.

INVOCATION – VICE CHAIRMAN GREGORY GAVE THE INVOCATION.

PROCLAMATION FOR EDNA O’EVA STEVENSON REDMOND – CHAIRMAN BLACKSHEAR PRESENTED THE PROCLAMATION FOR EDNA O’EVA STEVENSON REDMOND FOR HER 80TH BIRTHDAY.

EXECUTIVE SESSION -DISCUSSION REGARDING 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 - COUNCILMAN DRAYTON MOTIONED AND CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION REGARDING 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 . THE MOTION FAILED WITH CHAIRMAN BLACKSHEAR AND COUNCILMAN DRAYTON VOTING FOR; VICE CHAIRMAN GREGORY, COUNCILMAN ETHERIDGE AND COUNCILMAN SAULS VOTED AGAINST.

COUNCILMAN SAULS ASKED THE ATTORNEY IF THERE SHOULD NOT HAVE BEEN A BOILER PLATE LISTING THE REASON FOR EXECUTIVE SESSION. ATTORNEY JONES SAID THE COUNCIL VOTES TO GO INTO EXECUTIVE SESSION, THE CHAIRMAN MUST ANNOUNCE THE REASON AND HISTORICALLY IT HAS BEEN LISTED ON THE AGENDA. VICE CHAIRMAN GREGORY SAID THE COUNCIL SHOULD KNOW WHAT THE EXECUTIVE SESSION IS ABOUT BEFORE THEY MAKE THE MOTION. COUNCILMAN SAULS ASKED THE CHAIRMAN WHAT WAS THE TOPIC FOR EXECUTIVE SESSION. CHAIRMAN BLACKSHEAR SAID SINCE THEY VOTED NOT TO GO INTO EXECUTIVE SESSION THERE WAS NO REASON TO STATE THE REASON. VICE CHAIRMAN GREGORY SAID IF THE REASON WAS WRITTEN THE MEMBERS WOULD KNOW AND THEY HAVE A LEGAL RIGHT TO KNOW. MR. JONES SAID IF IT WAS CALLED TO A VOTE THE COUNCIL IS ENTITLED TO KNOW WHAT THE EXECUTIVE SESSION IS ABOUT PRIOR TO VOTING. COUNCILMAN ETHERIDGE SAID IT IS CUSTOMARY TO LIST THE ITEMS AND IF IT IS SUCH A BIG SECRET, HE IS NOT GOING GO INTO EXECUTIVE SESSION. CHAIRMAN BLACKSHEAR SAID IT WAS NOT A SECRET AND HE WAS GOING TO TELL PRIOR TO GOING INTO EXECUTIVE SESSION WHAT IT WAS ABOUT. COUNCILMAN SAULS SAID IT DIDN'T LOOK GOOD AND IT LOOKED LIKE YOU WERE HIDING SOMETHING FROM THE PUBLIC. CHAIRMAN BLACKSHEAR SAID IT WAS ABOUT THE CALAMITY OF WHERE THE DEPUTY ADMINISTRATOR'S OFFICE WAS TO BE LOCATED AND SINCE 3 COUNCIL MEMBERS SAID IT WILL NOT BE WHERE THE STAFF SAID IT WAS TO BE LOCATED. COUNCILMAN BLACKSHEAR SAID IT WAS NOT LISTED BECAUSE OF THE NUMBER OF PEOPLE WHO WOULD BE PRESENT PROTESTING IT. COUNCILMAN SAULS ASKED IF THIS WAS A TOPIC TO BE DISCUSSED IN EXECUTIVE SESSION. CHAIRMAN BLACKSHEAR SAID IT WAS ABOUT PERSONNEL AND IT COULD BE APPROPRIATE, BUT IT IS ABOUT ASSIGNMENT OF SPACE. COUNCILMAN SAULS SAID HE IS NOT GIVING UP THE COUNCIL'S OFFICE SPACE FOR TO ANYONE. COUNCILMAN SAULS SAID THIS IS A NEW BUILDING AND THE ADMINISTRATOR CAN FIND ANOTHER SPACE FOR THE DEPUTY ADMINISTRATOR THAT IS NOT IN THE COUNTY

COUNCIL AREAS. COUNCILMAN DRAYTON ASKED WHERE IS IT WRITTEN THAT IT IS THE COUNCIL'S OFFICE AND HE FELT THE ADMINISTRATOR MAKES THE DECISIONS REGARDING OFFICE SPACE. COUNCILMAN DRAYTON SAID HE WANTED TO SEE THAT IN WRITING. CHAIRMAN BLACKSHEAR SAID HE WAS NOT AWARE OF IT BEING IN WRITING ABOUT THE COUNCIL'S SPACE. COUNCILMAN DRAYTON SAID IF THERE IS NO DOCUMENT THEN IT IS NOT TRUE. COUNCILMAN DRAYTON SAID IT IS MR. FULGHUM'S CALL. COUNCILMAN DRAYTON SAID IT WAS NOT APPROPRIATE TO CALL THREE COUNCILMEN AND DISCUSS IT. COUNCILMAN DRAYTON SAID HE WAS TOLD THERE WERE THREE VOTES AND HE WANTED TO KNOW WHO DETERMINES WHO POLLS THE COUNCIL. COUNCILMAN DRAYTON SAID HE FELT THE CHAIRMAN SHOULD POLL THE COUNCIL. MR. JONES SAID HE KNOWS OF A SERIES OF MEETINGS WITH THE ORGANIZATION OF THIS BUILDING AND WHO WAS GOING TO BE LOCATED IN THE BUILDING. CHAIRMAN BLACKSHEAR SAID THERE IS NOTHING IN THE COUNCIL'S POLICY THAT THE COUNCIL HAS THE AUTHORITY TO ASSIGN OFFICE SPACE AND THE ADMINISTRATOR IS IN CHARGE OF THE BUILDING. VICE CHAIRMAN GREGORY SAID THE DOOR SAYS COUNTY COUNCIL AND THOSE WORDS TELL YOU WHERE THE COUNTY COUNCIL IS LOCATED. VICE CHAIRMAN GREGORY SAID THE COUNCIL HAD THE FINAL SAY AS TO BUILDING THIS BUILDING, NOT THE ADMINISTRATOR. VICE CHAIRMAN GREGORY SAID HE USES THE COUNCIL AREA AND HE DOES NOT WANT TO HAVE TO LOOK SOMEWHERE ELSE TO HOLD HIS MEETINGS. VICE CHAIRMAN GREGORY SAID THEY SHOULD NOT MAKE AN ISSUE OUT OF IT, TWO COUNCIL MEMBERS SAID HOW THEY FELT AND HIS DECISION IS THE COUNCIL'S OFFICE AREA STAYS WITH THE COUNCIL. COUNCILMAN DRAYTON SAID IT WAS ALREADY MADE AN ISSUE AND HE WANTS TO SEE THE DOCUMENT THAT THE STATES THAT THE ADMINISTRATOR CANNOT ASSIGN THE COUNCIL'S SPACE. VICE CHAIRMAN GREGORY SAID THAT COUNCILMAN DRAYTON HAS A RIGHT TO HIS OPINION, BUT HE (VICE CHAIRMAN GREGORY) ALSO HAS THE RIGHT TO SAY THEY SHOULD FIND ANOTHER SPACE FOR THE DEPUTY ADMINISTRATOR, DR. HOOD. VICE CHAIRMAN GREGORY SAID DR. HOOD USED THE COUNCIL OFFICE WHEN HE WAS ON COUNCIL, BUT DR. HOOD IS NOT ON COUNCIL NOW. VICE CHAIRMAN GREGORY SAID THAT THE SPACE HAS BEEN THE COUNCIL'S SPACE SINCE THE BUILDING OPENED. CHAIRMAN BLACKSHEAR ASKED WHEN A VOTE WAS TAKEN THAT THE DEPUTY ADMINISTRATOR COULD NOT USE THAT SPACE. COUNCILMAN ETHERIDGE ASKED WHEN MR. FULGHUM ASKED THE COUNCIL MEMBERS IF IT WAS OKAY TO USE THAT SPACE. CHAIRMAN BLACKSHEAR ASKED WHEN THE VOTE WAS TAKEN. COUNCILMAN ETHERIDGE SAID NO VOTE WAS TAKEN. COUNCILMAN ETHERIDGE MOTIONED THAT THE COUNCIL KEEP THE COUNCIL AREAS, THAT WAS ASSIGNED TO THE COUNCIL 3 YEARS AGO. CHAIRMAN BLACKSHEAR SAID HE WAS NOT READY TO ENTERTAIN FOR A MOTION. COUNCILMAN ETHERIDGE SAID NOW ALL OF A SUDDEN NO ONE ASKED IF IT COULD BE USED. COUNCILMAN SAULS ASKED MR. FULGHUM IF THERE WAS SOMEWHERE ELSE THAT DR. HOOD COULD HAVE AN OFFICE. MR. FULGHUM SAID HE INTENDED TO PUT DR. HOOD IN THAT OFFICE BECAUSE

ONE COUNCIL MEMBER SAID THEY DON'T USE IT. MR. FULGHUM SAID HE ONLY TOLD THE I-T PERSON TO GET IT READY. MR. FULGHUM SAID IT IS THE COUNCIL'S SPACE AND OFFICE, BUT HE DID NOT THINK IT WOULD BE AN ISSUE. COUNCILMAN SAULS TOLD MR. FULGHUM HE ASKED A YES OR NO QUESTION AND HE WANTED A YES OR NO ANSWER. MR. FULGHUM SAID YES, HE COULD FIND ANOTHER WORKSPACE FOR THE DEPUTY ADMINISTRATOR. COUNCILMAN DRAYTON SAID HE STILL WANTED TO SEE THE PAPER THAT SAID IT WAS THE COUNCIL'S SPACE AND JUST BECAUSE IT WAS DONE WRONG DOES NOT MEAN THEY HAVE TO CONTINUE TO DO IT WRONG. VICE CHAIRMAN GREGORY ASKED IF THE PLANS AND BLUEPRINTS FOR THE BUILDING DESIGNATED THE COUNCIL'S AREAS. MR. FULGHUM SAID THAT THEY DID. VICE CHAIRMAN GREGORY SAID THERE IS YOUR PAPER. COUNCILMAN DRAYTON MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT UNTIL A DOCUMENT IS FOUND THAT SAYS THE COUNTY COUNCIL HAS THE AUTHORITY TO DESIGNATE SPACE, DR. HOOD CAN USE THE COUNCIL'S OFFICE. THE MOTION FAILED. CHAIRMAN BLACKSHEAR AND COUNCILMAN DRAYTON VOTED FOR; VICE CHAIRMAN GREGORY, COUNCILMAN ETHERIDGE AND COUNCILMAN SAULS VOTED AGAINST. DR. HOOD IS NOT TO OCCUPY THE COUNCIL'S SPACE.

MR. FULGHUM DISCUSSED THE REDISTRICTING OF COLLECTON COUNTY AND THE LAWSUIT. MR. FULGHUM SAID HE AND THE ATTORNEY WILL REVIEW THE PAPERWORK AND REPORT BACK TO COUNCIL.

MR. FULGHUM TOLD THE COUNCIL THAT JASPER COUNTY LOBBY DAY HAS BEEN SET FOR JAN. 24, 2012 AND THEY WILL BE THERE WITH ALLENDALE, BAMBERG AND MCCORMICK COUNTIES. COUNCILMAN SAULS ASKED WHY JASPER COUNTY DOES NOT GO AT THE SAME TIME AS BEAUFORT AND HAMPTON COUNTY. MR. FULGHUM SAID HE WAS NOT SURE HOW THEY WERE SELECTED. COUNCILMAN DRAYTON ASKED IF YOU GO AND MEET YOUR REPRESENTATIVES AND MR. FULGHUM SAID YOU GO AND MAKE YOUR PRESENCE KNOWN.

MR. FULGHUM SAID THE INSURANCE TRUST HAS A MEETING IN JANUARY THAT PROVIDES TRAINING ON WORKERS COMP. MR. FULGHUM SAID THEY PAY THE HOTEL FOR THE ADMINISTRATOR, THE CHAIRMAN OF COUNTY COUNCIL AND THE PERSON HANDLING WORKERS COMP. TO ATTEND. MR. FULGHUM ASKED THE CHAIRMAN TO CHECK HIS CALENDAR FOR JANUARY 25, 2012. MR. FULGHUM SAID THE MEETING IS IN MYRTLE BEACH.

MR. FULGHUM SAID THAT MR. MALPHRUS IS WORKING ON A HOW THE MILLAGE IS CALCULATED, AND HOW THE ROLLBACK AND REASSESSMENT ARE COMPLIED TO.

VICE CHAIRMAN GREGORY REQUESTED THE FORMULA THE ASSESSORS USE WHEN THE ESTABLISH THE ASSESSED VALUE OF A PIECE OF PROPERTY SO

THAT HE CAN BETTER RESPOND TO THE CITIZENS QUESTIONS. MR. FULGHUM SAID HE WILL SET UP A WORKSHOP WITH THE ASSESSOR. COUNCILMAN SAULS COMMENTED ON A LETTER THE COUNCIL RECEIVED FROM A GENTLEMAN FROM HAMPTON POINTE REGARDING TAXES. MR. SAULS SAID THE GENTLEMAN SAID HIS ASSESSED VALUE WENT DOWN \$130,000, BUT HIS TAX BILL WAS HIGHER THAN IT WAS IN 2009. COUNCILMAN ETHERIDGE SAID THAT EVERYONE RECEIVED THEIR ASSESSMENT AND SOME PEOPLE JUST THREW IT IN THE TRASH. COUNCILMAN ETHERIDGE SAID THE COUNCIL SETS THE MILLAGE AND THERE WAS AN INCREASE OF 14 MILS AND TAXES WENT UP 30%-35% ON COMMERCIAL PROPERTY.

COUNCILMAN SAULS SAID SATURDAY NIGHT WAS THE COUNTY'S CHRISTMAS PARTY AND IT WAS BEING HELD IN BEAUFORT COUNTY. COUNCILMAN SAULS SAID HE THOUGHT THE PARTY SHOULD BE HELD IN JASPER COUNTY TO SUPPORT COUNTY BUSINESSES. COUNCILMAN SAULS SAID LAST YEAR THEY HELD IT IN JASPER COUNTY AND HE FEELS IT IS A MISTAKE TO HOLD IT IN BEAUFORT COUNTY. CHAIRMAN BLACKSHEAR SAID THAT THE FACILITY THEY USED LAST YEAR WAS NOT AVAILABLE AND THE COMMITTEE DID NOT FEEL THAT ANOTHER PLACE WAS FEASIBLE AND THEY HAVE TO USE THE CATERERS AT THE LOCATION. COUNCILMAN DRAYTON SUGGESTED THAT THEY MAKE RESERVATIONS NOW FOR NEXT YEAR'S PARTY SO THAT IT CAN BE HELD IN JASPER COUNTY. MR. FULGHUM SAID IF IT IS THE WISHES OF THE COUNCIL FOR THE FUTURE PARTIES TO BE HELD IN JASPER COUNTY THAT CAN BE DONE. CHAIRMAN BLACKSHEAR SAID THE COMMITTEE WAS CONCERNED AND WANTED TO HOLD IT IN JASPER COUNTY BUT COULD NOT FIND A PLACE. COUNCILMAN ETHERIDGE SAID THEY COULD HAVE USED ONE OF THE ROOMS AT THE SCHOOLS. VICE CHAIRMAN GREGORY SAID HE AGREED AND THERE ARE ENOUGH FACILITIES IN JASPER COUNTY, BUT THEY WAITED TOO LONG TO SCHEDULE IT. VICE CHAIRMAN GREGORY SAID THE SCHOOLS JUST RECENTLY WAS ABLE TO SCHEDULE AN EVENT AT PALMETTO ELECTRIC. VICE CHAIRMAN GREGORY SAID THEY SHOULD KEEP THE MONEY IN JASPER COUNTY AND THE SCHOOLS HAVE FACILITIES THAT CAN BE USED. CHAIRMAN BLACKSHEAR SAID MAYBE THE COUNCIL SHOULD PLAN THE PARTY NEXT YEAR AND THE COMMITTEE HAD TO LOOK AT OTHER THINGS LIKE SERVING ALCOHOL AND THIS LOCATION WILL HAVE A CASH BAR.

MR. FULGHUM PROVIDED THE COUNCIL WITH DOCUMENTS TO REVIEW FOR THE EXECUTIVE SESSION.

BREAK UNTIL 6:30 P.M. COUNCILMAN SAULS MOTIONED AND VICE CHAIRMAN GREGORY SECONDED THE MOTION TO BREAK AND RECONVENE AT 6:30 P.M.

COUNCIL RETURNED FROM BREAK AT 6:30 P.M. – THE COUNCIL RETURNED FROM BREAK AT 6:30 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 THE PUBLIC BODY - [LOWCOUNTRY ECONOMIC ALLIANCE](#) - COUNCILMAN SAULS MOTIONED AND VICE CHAIRMAN GREGORY SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION AND TO HOLD THE EXECUTIVE SESSION IN COUNCIL CHAMBERS 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 THE PUBLIC BODY - [LOWCOUNTRY ECONOMIC ALLIANCE](#). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

[VICE CHAIRMAN GREGORY AND COUNCILMAN DRAYTON LEFT THE MEETING DURING THE EXECUTIVE SESSION.](#)

RETURN TO OPEN SESSION - COUNCILMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO OPEN SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN BLACKSHEAR THANKED MS. STATLER AND MR. MALPHRUS FOR ATTENDING THE MEETING AND FOR THE INFORMATION THEY PROVIDED. CHAIRMAN BLACKSHEAR SAID THE COUNCIL WOULD GET BACK TO THEM AS SOON AS POSSIBLE.

ADJOURN - COUNCILMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 8:00 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

LEROY BLACKSHEAR
CHAIRMAN