

**JASPER COUNTY COUNCIL  
MARY GORDON ELLIS EXECUTIVE BUILDING  
COUNCIL CHAMBERS  
DECEMBER 15, 2008  
4:00 P.M.**

**MINUTES**

**OFFICIALS PRESENT:**

DR. GEORGE M. HOOD, CHAIRMAN  
FRED TUTEN, VICE CHAIRMAN  
GLADYS JONES, COUNCILWOMAN

**OFFICIALS ABSENT:**

LEROY BLACKSHEAR, COUNCILMAN  
HUBERT TYLER, COUNCILMAN

**STAFF PRESENT:**

ANDREW FULGHUM, ADMINISTRATOR  
RONNIE MALPHRUS, DEP. ADM. ADMINISTRATIVE SERVICES  
DALE TERRY, DEP. ADM. ENGINEERING SERVICES  
WILBUR DALEY, DEP. ADM. EMERGENCY SERVICES  
MARVIN JONES, ATTORNEY  
JUDITH M. FRANK, CLERK TO COUNCIL  
DAVID JIROUSEK, PLANNING DIRECTOR  
LISA LAMB, PLANNING AND ZONING COORDINATOR  
STEVEN MALPHRUS, DEP. DIRECTOR ES  
SHERIFF JENKINS  
PATSYE GREENE, ROD DIRECTOR  
SUSAN WAITE, ASSESSOR  
RENTY KITTY, BUSINESS LICENSE COORDINATOR  
CHRISTY HERMAN, BUILDING DEPARTMENT OFFICE MANAGER

**STAFF ABSENT:**

EVELYN LEE, DEP. CLERK TO COUNCIL

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.

**PLEDGE OF ALLEGIANCE:**

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

**INVOCATION:**

VICE CHAIRMAN TUTEN GAVE THE INVOCATION.

**AMEND THE AGENDA:**

CHAIRMAN HOOD ASKED FOR A MOTION TO AMEND THE AGENDA TO INCLUDE THE RESULTS OF THE EMPLOYEE SURVEY TO BE DISCUSSED IN OPEN SESSION.

COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO AMEND THE AGENDA TO INCLUDE A DISCUSSION OF THE EMPLOYEE'S SURVEY IN OPEN SESSION UNDER OLD BUSINESS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**APPROVAL OF THE MINUTES – NOVEMBER 10, 2008 AND DECEMBER 3, 2008:**

COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO APPROVE THE MINUTES OF NOVEMBER 10, 2008 AND DECEMBER 3, 2008. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PROCLAMATIONS AND PRESENTATIONS:**

**PALMETTO ELECTRIC- PRESENTATION OF CHECK:**

JIMMY BAKER, REPRESENTING PALMETTO ELECTRIC, PRESENTED THE COUNTY WITH A CHECK IN THE AMOUNT OF \$300,000.00 FROM RDA FUNDS AND HE SAID THAT AN ADDITIONAL \$9,975.00 WILL BE COMING TO THE COUNTY FROM THE RDA POOLED FUNDS. MR. BAKER SAID THE FUNDS WERE GIVEN TO THE COUNTY FOR ANOTHER SPEC BUILDING IN THE CYPRESS RIDGE BUSINESS INDUSTRIAL PARK. MR. BAKER INFORMED THE PUBLIC THAT SINCE 1997, THE COUNTY HAS RECEIVED \$1,870,000.00 IN RDA FUNDS FROM PALMETTO ELECTRIC. CHAIRMAN HOOD EXPRESSED THE COUNTY'S APPRECIATION TO PALMETTO ELECTRIC FOR THEIR SUPPORT.

**PUBLIC HEARINGS AND ORDINANCES:**

**MARVIN JONES - 3<sup>RD</sup> READING OF THE ORDINANCE TO MAKE CERTAIN FINDINGS AND DETERMINATIONS; TO ADOPT CERTAIN DEFINITIONS; TO PROHIBIT THE WEARING OF CERTAIN ATTIRE; TO PROVIDE FOR ENFORCEMENT, VIOLATIONS AND PENALTIES; AND TO PROVIDE FOR A PUBLIC EDUCATION PROGRAM:**

MARVIN JONES PRESENTED THE ORDINANCE AND EXPLAINED THE PENALTIES AND ENFORCEMENT OF THE ORDINANCE. VICE CHAIRMAN TUTEN MOTIONED AND CHAIRMAN HOOD SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO MAKE CERTAIN FINDINGS AND DETERMINATIONS; TO ADOPT CERTAIN DEFINITIONS; TO PROHIBIT THE WEARING OF CERTAIN ATTIRE; TO PROVIDE FOR ENFORCEMENT, VIOLATIONS, AND PENALTIES; AND TO PROVIDE FOR A

PUBLIC EDUCATION PROGRAM. THE MOTION CARRIED WITH CHAIRMAN HOOD AND VICE CHAIRMAN TUTEN VOTING FOR; COUNCILWOMAN JONES VOTED AGAINST AND STATED THAT SHE OBJECTED TO THE ORDINANCE BECAUSE THE PEOPLE NEED TO WORK ON THEIR SELF ESTEEM AND WHAT THEY THINK ABOUT THEMSELVES. COUNCILWOMAN JONES CONTINUED THAT SHE DID NOT THINK THE GOVERNMENT SHOULD TELL PEOPLE HOW TO DRESS AND THAT THE COUNCIL HAS MORE IMPORTANT ISSUES TO WORK ON. CHAIRMAN HOOD COMMENTED THAT HE SUPPORTED THE ORDINANCE BECAUSE WHEN HE WORKED IN THE SCHOOL SYSTEM HE EMPHASIZED PROPER DRESS WHEN HE WORKED WITH 75 STUDENTS THAT HAD BEEN EXPELLED FROM OTHER SCHOOLS IN COLLETON COUNTY. CHAIRMAN HOOD SAID HE HELD ORIENTATION SESSIONS WITH THE PARENTS AND STUDENTS ABOUT WHAT HE EXPECTED AND HE WAS IMPRESSED WITH THE ORDINANCE BECAUSE IT WAS ABOUT EDUCATING THE PARENTS AND THE STUDENTS AND HE HOPED THE COMMUNITY WOULD EMBRACE THE ORDINANCE.

**DAVID JIROUSEK – 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF APPROXIMATELY 3.99 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 038-00-05-008 AND GENERALLY LOCATED AT THE INTERSECTION OF LEVY ROAD AND HIGHWAY 170A FROM THE SINGLE FAMILY RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP; AND TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF APPROXIMATELY 4.94 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 080-00-03-046 AND GENERALLY LOCATED ON THE NORTH SIDE OF PEARLSTINE DRIVE FROM THE RESIDENTIAL ZONE TO THE INDUSTRIAL ZONE:**

MR. JIROUSEK PRESENTED THE ORDINANCE AND SAID THAT THE ORDINANCE HAS NOT BEEN AMENDED AND THAT THE STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF APROXIMATELY 3.99 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 038-00-05-008 AND GENERALLY LOCATED AT THE INTERSECTION OF LEVY ROAD AND HIGHWAY 170A FROM THE SINGLE FAMILY RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP; AND TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF APPROXIMATELY 4.94 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 080-00-03-046 AND GENERALLY LOCATED ON THE NORTH SIDE OF PEARLSTINE DRIVE FROM THE RESIDENTIAL ZONE TO THE INDUSTRIAL ZONE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO SHOW A 1.59 ACRE LOT BEARING JASPER COUNTY TAX MAP NUMBER 029-48-04-006 ON PHILLIPS ROAD IN THE HARDEEVILLE INDUSTRIAL PARK AS BEING ZONED INDUSTRIAL:**

MR. JIROUSEK PRESENTED THE ORDINANCE AND EXPLAINED THAT THIS PARCEL OF LAND WAS NEVER ZONED AND THAT IT IS LOCATED IN THE HARDEEVILLE INDUSTRIAL PARK. MR. JIROUSEK SAID THE STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL OF THIS ORDINANCE. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO SHOW A 1.59 ACRE LOT BEARING JASPER COUNTY TAX MAP NUMBER 029-48-04-006 ON PHILLIPS ROAD IN THE HARDEEVILLE INDUSTRIAL PARK AS BEING ZONED INDUSTRIAL.

**DAVID JIROUSEK – PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF ONE (1) LOT BEARING JASPER COUNTY TAX MAP NUMBER 037-00-02-003 LOCATED AT THE INTERSECTION OF U.S. HIGHWAY 17A AND SOUTH CAROLINA PRIMARY HIGHWAY 170A FROM THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE:**

MR. JIROUSEK INFORMED THE COUNCIL THAT THE ZONING CHANGE WAS REQUESTED BY THE PROPERTY OWNER AND THE PLANNING COMMISSION AND THE COUNTY STAFF RECOMMEND THE CHANGE FROM SINGLE FAMILY RESIDENTIAL TO COMMUNITY COMMERCIAL. MR. JIROUSEK SAID THE PROPERTY IS LOCATED ON THE CORNER OF A MAJOR INTERSECTION AND IS NOT APPROPRIATE FOR SINGLE FAMILY RESIDENTIAL ZONING. MR. JIROUSEK EXPLAINED THAT ACCESS ISSUES WILL BE WORKED OUT BY STAFF. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF ONE (1) LOT BEARING JASPER COUNTY TAX MAP NUMBER 037-00-02-003 LOCATED AT THE INTERSECTION OF U.S. HIGHWAY 17A AND SOUTH CAROLINA PRIMARY HIGHWAY 170A FROM THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THE FOLLOWING PARCELS BEARING TAX**

**MAP NUMBER(S) 039-00-02-001, 039-00-02 002, 039-00-02-003, AND 039-00-02-004 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE AND TO TRANSFER PARCEL BEARING TAX MAP NUMBER 038-00-01-003 DEPICTED ON THE JASPER COUNTY ZONING MAP IN THE RESIDENTIAL ZONE TO THE RESOURCE CONSERVATION ZONE:**

MR. JIROUSEK TOLD THE COUNCIL THAT AT THE SEPTEMBER 25, 2008 PLANNING COMMISSION MEETING, THE PLANNING COMMISSION MOTIONED TO CREATE A COMMUNITY COMMERCIAL CORRIDOR FROM THE HARDEEVILLE TOWN LIMITS TO HWY. 170 AND ONE PARCEL IS TO BE CHANGED FROM THE RESIDENTIAL ZONE TO THE RESOURCE CONSERVATION ZONE. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. VICE CHAIRMAN TUTEN MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THE FOLLOWING PARCELS BEARING TAX MAP NUMBER(S) 039-00-02-001, 039-00-02 002, 039-00-02-003, AND 039-00-02-004 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE AND TO TRANSFER PARCEL BEARING TAX MAP NUMBER 038-00-01-003 DEPICTED ON THE JASPER COUNTY ZONING MAP IN THE RESIDENTIAL ZONE TO THE RESOURCE CONSERVATION ZONE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK – PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO RESCIND CEDED PLANNING AND ZONING AUTHORITY TO THE TOWN OF RIDGELAND PURSUANT TO CODE OF LAWS OF SOUTH CAROLINA 6-29-330: TO AMEND SECTION 20-41, 20-42, 20-43, 2-181, 2-182, AND 2-184 OF THE CODE OF ORDINANCES OF JASPER COUNTY; TO WITHDRAW JURISDICTION FROM THE CENTRAL JASPER COUNTY-TOWN OF RIDGELAND JOINT PLANNING COMMISSION AND THE CENTRAL JASPER COUNTY-TOWN OF RIDGELAND ZONING BOARD OF APPEALS AND VEST THAT JURISDICTION IN THE JASPER COUNTY PLANNING COMMISSION AND THE JASPER COUNTY ZONING BOARD OF APPEALS, RESPECTIVELY; TO REPEAL A CERTAIN INTERGOVERNMENTAL AGREEMENT; TO REPEAL JASPER COUNTY ORDINANCE 20-201, 20-202, 20-203, 20-210, 20-301, 20-302, 20-303, 20-310 AND 20-320; AND TO PROVIDE FOR REVOCATION OF DELEGATED POWERS, SEVERABILITY AND EFFECTIVE DATES:**

MR. JIROUSEK PRESENTED THE ORDINANCE AND EXPLAINED THAT THE COUNTY HAS ALREADY CEDED THE PLANNING AND ZONING AUTHORITY FROM HARDEEVILLE AND THIS ORDINANCE WILL DO THE SAME THING WITH THE TOWN OF RIDGELAND. COUNCILWOMAN JONES COMMENTED THAT THE RESOLUTION PREVIOUSLY PASSED BY COUNTY COUNCIL

STATED THAT THE COUNTY AND THE MUNICIPALITIES WILL STILL WORK TOGETHER TO DEVELOP JASPER COUNTY PROPERLY. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 2<sup>ND</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO RESCIND CEDED PLANNING AND ZONING AUTHORITY TO THE TOWN OF RIDGELAND PURSUANT TO CODE OF LAWS OF SOUTH CAROLINA 6-29-330: TO AMEND SECTION 20-41, 20-42, 20-43, 2-181, 2-182, AND 2-184 OF THE CODE OF ORDINANCES OF JASPER COUNTY; TO WITHDRAW JURISDICTION FROM THE CENTRAL JASPER COUNTY-TOWN OF RIDGELAND JOINT PLANNING COMMISSION AND THE CENTRAL JASPER COUNTY-TOWN OF RIDGELAND ZONING BOARD OF APPEALS AND VEST THAT JURISDICTION IN THE JASPER COUNTY PLANNING COMMISSION AND THE JASPER COUNTY ZONING BOARD OF APPEALS, RESPECTIVELY; TO REPEAL A CERTAIN INTER-GOVERN-MENTAL AGREEMENT; TO REPEAL JASPER COUNTY ORDINANCE 20-201, 20-202, 20-203, 20-210, 20-301, 20-302, 20-303, 20-310 AND 20-320; AND TO PROVIDE FOR REVOCATION OF DELEGATED POWERS, SEVERABILITY AND EFFECTIVE DATES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**DAVID JIROUSEK - 1<sup>ST</sup> READING OF THE LAND DEVELOPMENT REGULATIONS ORDINANCE AMENDMENT FOR FINANCIAL SECURITY PERFORMANCE AND MAINTENANCE GUARANTEES:**

MR. JIROUSEK SAID THAT THIS ORDINANCE IS NECESSARY AS THE LDR ORDINANCE REQUIRES FINANCIAL SECURITY WHICH IS KNOWN AS A PERFORMANCE GUARANTEE, AFTER A SUBDIVISION AND SITE WORK WITH APPROVED PLANS ARE FULLY COMPLETED. MR. JIROUSEK CONTINUED THAT A MAINTENANCE AGREEMENT AND GUARANTEE IS NEEDED AFTER THE PROJECT IS CLOSED OUT TO INSURE THAT THE INFRASTRUCTURE HAS BEEN PROPERLY INSTALLED AND THAT IT IS WELL MAINTAINED. MR. JIROUSEK SAID THE GUARANTEES ARE USUALLY PROVIDED THROUGH BONDS AND ARE DETERMINED BY A SET PERCENTAGE OF THE ENGINEER'S COST ESTIMATE. MR. JIROUSEK SAID THAT THE PERFORMANCE BOND IN THE AMOUNT OF 125% IS TO INSURE THAT THOSE ITEMS, INFRASTRUCTURE RELATED, ARE PROPERLY INSTALLED AND THAT ALL OF THE PROPOSED IMPROVEMENTS ARE CARRIED OUT. MR. JIROUSEK SAID THAT IF THE WORK IS NOT COMPLETED, THE COUNTY IS ABLE TO APPLY THE 125% PERFORMANCE GUARANTEE BOND TO THE PROJECT TO COMPLETE THE SITE WORK. MR. JIROUSEK CONTINUED AND SAID THAT WITH SUBDIVISIONS, A PERFORMANCE GUARANTEE IS ESSENTIAL AS THERE MAY BE MULTIPLE LOT OWNERS, THE PERFORMANCE BOND WOULD NOT APPLY TO SINGLE LOT COMMERCIAL AND INDUSTRIAL SITES. MR. JIROUSEK SAID THAT THOSE TYPES OF PROJECTS HAVE ONE PRIVATE OWNER OF A SINGLE LOT AND IT SHOULD

NOT BE THE COUNTY'S RESPONSIBILITY TO COMPLETE SITE WORK ON PRIVATE PROPERTY FOR A SINGLE OWNER OR DEVELOPER IF THE PROJECT IS NOT COMPLETED OR IF THE DEVELOPER DEFAULTS. MR. JIROUSEK SAID THE STAFF WAS RECOMMENDING A 10% SITE RESTORATION GUARANTEE FOR SINGLE LOT NON-RESIDENTIAL DEVELOPMENT INSTEAD OF THE 125% PERFORMANCE GUARANTEE. MR. JIROUSEK EXPLAINED THAT THE MAINTENANCE GUARANTEE IS USUALLY IN THE FORM OF BONDS OR IRREVOCABLE LETTERS OF CONSENT AND THEY ARE ALL REQUIRED FOR SUBDIVISIONS AND SINGLE LOT COMMERCIAL AND INDUSTRIAL DEVELOPMENT. FOR A \$500,000.00 PROJECT, A \$75,000.00 BOND WOULD BE REQUIRED TO INSURE THAT ALL INFRASTRUCTURES ARE PROPERLY MAINTAINED AND LASTS AT LEAST TWO YEARS. MR. JIROUSEK STATED THAT THE STAFF FEELS THAT MAINTENANCE OF INFRASTRUCTURE FOR SINGLE LOT DEVELOPERS SHOULD BE THE RESPONSIBILITY OF THE OWNER OR THE DEVELOPER, RELIEVING THE SINGLE LOT DEVELOPER FROM THIS REQUIREMENT WOULD RELIEVE THE STAFF FROM THE UNNECESSARY RESPONSIBILITY OF MAINTAINING ROADS AND INFRASTRUCTURE WITHIN PRIVATE DEVELOPMENTS. MR. JIROUSEK REITERATED THAT THE MAINTENANCE GUARANTEE IS ONLY REQUIRED FOR SUBDIVISIONS. COUNCILWOMAN JONES SAID SHE FELT THIS WAS AN EXCELLENT IDEA AND FELT THAT IT DEFINITELY NEEDED TO BE IN PLACE. VICE CHAIRMAN TUTEN ASKED IF THIS WOULD GO BACK ON PREVIOUSLY APPROVED DEVELOPMENTS. MR. JIROUSEK RESPONDED THAT THE PREVIOUSLY APPROVED DEVELOPMENT SHOULD HAVE PROVIDED THE COUNTY WITH A BOND. VICE CHAIRMAN TUTEN MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE LAND DEVELOPMENT REGULATIONS ORDINANCE AMENDMENT FOR FINANCIAL SECURITY PERFORMANCE AND MAINTENANCE GUARANTEES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS:**

**OLD BUSINESS:**

**SISTER LUPE – JCNU REQUEST FOR GRANT MATCHING FUNDS:**

SISTER LUPE AND MARY MOYD SAID THEY WERE BACK TO REVISIT THEIR REQUEST FOR \$160,000.00 TO HELP WITH THE PURCHASE OF AN APARTMENT COMPLEX THAT WAS ORIGINALLY A HUD PROJECT THAT THEY PLANNED TO RENOVATE AND PUT BACK INTO AFFORDABLE HOUSING. MS. MOYD SAID THAT SHE PREVIOUSLY MANAGED THE COMPLEX AND SHE WAS AWARE OF THE CONDITION OF THE APARTMENTS. SISTER LUPE SAID THAT THEY HAVE RECEIVED A GRANT IN THE AMOUNT OF \$140,000.00 AND THEY NEEDED A TOTAL OF \$320,000.00 AND THE BANK WILL FINANCE THE OTHER 80%. COUNCILWOMAN JONES COMMENTED THAT THEIR ORIGINAL REQUEST WAS FOR \$100,000.00 AND SISTER LUPE RESPONDED THAT THEY WERE LOOKING FOR A

COMMITMENT FROM THE COUNTY IN THE AMOUNT OF \$100,000.00 - \$160,000.00. COUNCILWOMAN JONES ASKED IF THE CITY OF HARDEEVILLE HAS AGREED TO HELP AND SISTER LUPE SAID THAT THEY ARE ASKING FOR FUNDING, NOT A LOAN BECAUSE THE BANKS DO NOT WANT ANYMORE LOANS ASSOCIATED WITH THE PROJECT. VICE CHAIRMAN TUTEN AND COUNCILWOMAN JONES BOTH COMMENTED THAT THEY SHOULD NOT COMMIT FUNDING THAT THE NEW COUNCIL WOULD BE OBLIGATED TO PROVIDE. VICE CHAIRMAN TUTEN SAID HE FELT THAT THE FULL COUNCIL SHOULD MAKE THE DECISION REGARDING FUNDING THIS PROJECT AND HE COULD NOT VOTE ON IT. CHAIRMAN HOOD ASKED SISTER LUPE TO COME TO THE JANUARY 5, 2009 COUNCIL MEETING WHEN THE NEW COUNCIL MEMBERS WILL BE INSTALLED. CHAIRMAN HOOD ASKED IF THEY HAVE APPROACHED LCOG FOR FUNDING AND MS. MOYD RESPONDED THAT THE FUNDS FROM LCOG CAN ONLY BE USED FOR REPAIRS AND DOWN PAYMENTS. CHAIRMAN HOOD ASKED ABOUT THE POSSIBILITY OF PAYING THE FUNDS BACK TO THE COUNTY IF THEIR REQUEST WAS APPROVED. SISTER LUPE SAID THEY WERE TALKING TO OTHER BANKS AND THAT A LOAN WITH A VERY LOW INTEREST RATE HAS BEEN DISCUSSED.

**ANDY FULGHUM-DISCUSSION OF COUNTY CELL PHONES:**

MR. FULGHUM SAID THAT MEMO PROVIDED TO COUNCIL ON NOVEMBER 24, 2008 MAY NOT BE ACCURATE REGARDING THE NUMBER OF PEOPLE WHO HAVE PHONES AND THE NUMBER OF PHONES THE COUNTY PROVIDES. COUNCILWOMAN JONES SAID THE MAIN ISSUE WAS WHY DOES ANYONE NEED A BLACKBERRY INSTEAD OF A REGULAR CELL PHONE. COUNCILWOMAN JONES CONTINUED THAT WHEN AN EMPLOYEE IS AWAY FROM THE OFFICE THEY CAN CHECK THEIR E-MAIL FROM A COMPUTER.

CHAIRMAN HOOD ASKED WHAT POLICY IS BEING FOLLOWED REGARDING THE USAGE OF COUNTY CELL PHONES.

MR. STEVEN MALPHRUS SAID THAT THE COST OF THE BLACKBERRY WAS INCORRECT AND THAT A BLACKBERRY COSTS \$80.00 PER MONTH AND THE ONLY PEOPLE WHO HAVE THEM ARE IN MANAGEMENT AND TECHNOLOGY EMPLOYEES. COUNCILWOMAN JONES SAID THAT PEOPLE COULD BE CALLED ON THEIR CELL PHONE INSTEAD OF PEOPLE SENDING THEM E-MAIL. MR. STEVEN MALPHRUS SAID THAT THE BLACKBERRY HAS A NUMBER OF BENEFITS. MR. MALPHRUS SAID THAT ONE OF THE BENEFITS IS THAT THE TECHNICIANS CAN MAKE REPAIRS TO THE SERVER THROUGH THEIR BLACKBERRY REMOTELY. COUNCILWOMAN JONES SAID THAT SHE DID NOT FEEL THE COUNCIL WAS GETTING AN ADEQUATE ANSWER TO THE ISSUE. VICE CHAIRMAN TUTEN COMMENTED THAT THE CELL PHONE BILL WAS \$72,000.00 A YEAR. MR. FULGHUM SAID THAT THE CELL PHONE BILL WAS ACTUALLY ABOUT \$60,000.00 PER YEAR. COUNCILWOMAN JONES SAID THAT THE AMOUNT STATED BY MR. FULGHUM DID NOT INCLUDE THE PEOPLE WHO WERE PAID A STIPEND TO USE THEIR OWN

PHONES. MR. FULGHUM LISTED THE PEOPLE RECEIVING A STIPEND. COUNCILWOMAN JONES ASKED IF ROSALIE HOWARD GOT A STIPEND AND MR. FULGHUM SAID HE WAS NOT SURE. CHAIRMAN HOOD SAID HE DID NOT KNOW HOW MR. FULGHUM HAD THE NERVE TO APPROVE ALL THESE CELL PHONES. CHAIRMAN HOOD SAID THAT EVERYONE WHO HAS A CELL PHONE IS NOT ON CALL AND WHY DO THE RATES VARY FROM \$27.00 - \$130.00. MR. FULGHUM SAID THERE WERE ACTUALLY 18 DIFFERENT AMOUNTS AND HE BELIEVES THE AMOUNT PROVIDED TO COUNCIL WAS A SNAPSHOT VIEW OF 1 MONTH. CHAIRMAN HOOD SAID THAT IF SOMEONE HAS A PHONE, THE PLANS SHOULD BE SIMILAR. COUNCILWOMAN JONES SAID THE ASSESSOR'S OFFICE SHARES A PHONE AND THE LADIES TAKE IT WHEN THEY GO OUT INTO THE FIELD AND THEY NEED ONE FOR SAFETY. CHAIRMAN HOOD SAID THAT THE ASSESSORS REALLY DO NEED TO HAVE A PHONE SINCE THEY SPEND SO MUCH TIME OUT IN THE FIELD. CHAIRMAN HOOD SAID THEIR SERVICE IS ONLY \$27.00 PER MONTH. MR. FULGHUM SAID THAT THE SHERIFF'S DEPARTMENT HAS 6 BLACKBERRIES AND CHAIRMAN HOOD SAID THAT COUNCIL DID NOT HAVE ANY CONTROL OVER HOW THE SHERIFF SPENDS HIS BUDGET. MR. FULGHUM SAID THAT IF A PERSON GOES OVER THEIR ALLOTTED MINUTES, THEY MUST REIMBURSE THE COUNTY FOR THOSE EXPENSES. COUNCILWOMAN JONES SAID SHE HAS UNLIMITED MINUTES AND HER BILL IS ONLY \$47.00 PER MONTH. CHAIRMAN HOOD SAID HIS BILL EACH MONTH CONSTANTLY EXCEEDS HIS \$75.00 PER MONTH PHONE STIPEND. MR. FULGHUM SAID THAT WHEN HE CAME TO WORK FOR THE COUNTY, SOME EMPLOYEES ALREADY HAD PHONES. MR. FULGHUM SAID THAT THE CLERK TO COUNCIL AND THE DIRECTOR OF VOTER'S REGISTRATION BOTH REQUESTED CELL PHONES, BUT HE DID NOT APPROVE PHONES FOR THEM. CHAIRMAN HOOD SAID THAT THE ADMINISTRATOR IS PROVIDED A PHONE ALLOWANCE IN HIS CONTRACT AND SOME TO THE POSITIONS CREATED ARE GIVEN A CELL PHONE, BUT THIS SHOULD HAVE BEEN DISCUSSED DURING THE BUDGET WORKSHOPS. CHAIRMAN HOOD SAID HE FELT THE ADMINISTRATOR SHOULD JUSTIFY WHY THE PHONES ARE NEEDED AND HE DISAGREES THAT SOME PEOPLE NEED A BLACKBERRY. CHAIRMAN HOOD SAID THE PHONES THAT ARE NEEDED SHOULD BE DONE AT THE LOWEST POSSIBLE COST. CHAIRMAN HOOD SAID THAT HE WAS NOT COMFORTABLE WITH WHAT HE SEES HAPPENING AND HE FEELS THAT THERE NEEDS TO BE A POLICY. CHAIRMAN HOOD SAID HE DID NOT THINK A CELL PHONE SHOULD BE GIVEN TO EVERYONE AND THERE SHOULD BE A GOOD REASON FOR AN EMPLOYEE TO HAVE A CELL PHONE THAT THE COUNTY IS PAYING FOR. CHAIRMAN HOOD SAID THERE SHOULD BE A DISCUSSION WITH COUNCIL REGARDING THE CELL PHONES AND HE WANTS HIS TO MAKE SURE THAT HIS QUESTIONS ARE ANSWERED. COUNCILWOMAN JONES SAID THE CHAIRMAN PAYS FOR HIS OWN PERSONAL PHONE AND THE CITIZENS OF JASPER COUNTY SHOULD NOT HAVE TO PAY FOR NICETIES THAT THE EMPLOYEES WANT, BUT DO NOT NEED. COUNCILWOMAN JONES SAID THAT PUBLIC WORKER'S

EMPLOYEES HAD WALKIE- TALKIES AND THEY WORKED FINE AND SHE COULD NOT UNDERSTAND WHY 170 EMPLOYEES NEED PHONES. COUNCILWOMAN JONES SAID EMPLOYEES NEED A PHONE FOR EMERGENCIES AND 170 PHONES ARE RIDICULOUS AND A POLICY WAS NEEDED FOR WHO QUALIFIES FOR A COUNTY CELL PHONE. CHAIRMAN HOOD SAID THAT HE AND THE COUNCIL WILL WORK ON THIS IN THE NEW YEAR.

**ANDY FULGHUM - CHAMBER OF COMMERCE REQUEST FOR A-TAX FUNDS:**

MR. SAULS, REPRESENTING THE CHAMBER OF COMMERCE, SAID THAT THE COUNTY AND TOWN ADMINISTRATORS CAME TO THE CHAMBER AND ASKED THAT THEY DO A MARKETING CAMPAIGN FOR THE FARMERS' MARKET. MR. SAULS REQUESTED \$70,000.00 FROM A-TAX FUNDS FOR THE CHAMBER TO PROMOTE THE FARMERS' MARKET. MR. SAULS SAID THERE WOULD BE AT LEAST FOUR MAJOR EVENTS HELD AT THE FARMERS' MARKET AND THE MAJORITY OF THE FUNDS WOULD GO TO PROMOTING THE FARMERS' MARKET. COUNCILWOMAN JONES ASKED IF ANY OF THESE FUNDS WOULD BE USED TO INCREASE THE SALARIES OF THE CHAMBER'S EMPLOYEES SINCE THEY WOULD BE TAKING ON A BIG PROJECT. MR. SAULS SAID THAT A -TAX FUNDS COULD NOT BE USED FOR SALARIES, BUT THE CHAMBER DID PLAN ON BRINGING IN 1 OR 2 NEW PEOPLE. VICE CHAIRMAN TUTEN ASKED HOW MUCH MONEY WAS IN THE A-TAX ACCOUNT AND MR. RONNIE MALPHRUS RESPONDED ABOUT \$174,000.00, BUT THERE WAS \$294,000.00 IN THE H-TAX ACCOUNT. VICE CHAIRMAN TUTEN ASKED IF H-TAX FUNDS COULD BE SPENT THE SAME WAY THAT A-TAX FUNDS ARE SPENT AND MR. MALPHRUS SAID THEY BOTH CAN BE USED TO PROMOTE TOURISM. COUNCILWOMAN JONES ASKED IF PART OF THOSE FUNDS ARE DESIGNATED TO PAY FOR THE BUTTERFLY KINGDOM ROAD AND MR. MALPHRUS SAID THAT \$140,000.00 DOLLARS IS NEEDED FOR THE PAYMENT FOR THE BUTTERFLY KINGDOM ROAD. VICE CHAIRMAN TUTEN ASKED IF ADDITIONAL A-TAX AND H-TAX FUNDS ARE COLLECTED EACH YEAR AND MR. MALPHRUS SAID THEY DID. CHAIRMAN HOOD ASKED IF THE \$70,000.00 WAS JUST TO PROMOTE THE FARMERS'S MARKET OR WAS PART OF IT TO PROMOTE THE REGIONAL ISSUES. MR. SAULS SAID THE FUNDS WERE TO BE USED TO PROMOTE THE FARMERS' MARKET ON A REGIONAL LEVEL. MR. SAULS SAID IT IS A BEAUTIFUL FACILITY THAT COULD BE UTILIZED FOR MANY DIFFERENT EVENTS. COUNCILWOMAN JONES SAID IT IS A BEAUTIFUL FACILITY AND \$800,000.00 OF TAXPAYERS' MONEY WAS SPENT ON IT. COUNCILWOMAN JONES SAID THERE HAS NEVER BEEN A PLAN AND IT IS NOT WORKING OUT RIGHT NOW AND SHE WOULD LIKE TO SEE THE CHAMBER TAKE IT ON. MR. SAULS SAID THE CHAMBER WAS VERY EXCITED TO TAKE ON THE PROJECT AND THEY WILL COME UP WITH A QUALITY PLAN AND THEY WILL PRESENT THE PLAN TO COUNCIL. COUNCILWOMAN JONES SAID THE NEWSPAPER SAID THAT THE TAXPAYERS ONLY PAID \$77,000.00 TO

RENOVATE THE FARMERS' MARKET, BUT ACTUALLY THE TAXPAYERS PAID FOR ALL THE RENOVATIONS EXCEPT FOR THE \$10,000.00 DONATION. VICE CHAIRMAN TUTEN MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION TO APPROVE \$70,000.00 FROM THE H-TAX ACCOUNT FOR THE CHAMBER OF COMMERCE TO USE FOR A REGIONAL ADVERTISING CAMPAIGN FOR THE FARMERS' MARKET AND FOR A MINIMUM OF 4 MAJOR EVENTS TO BE HELD AT THE FARMERS' MARKET. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILWOMAN JONES ASKED WHEN THE FENCING WAS REMOVED FROM THE FARMERS' MARKET AND MR. FULGHUM RESPONDED THAT IT WAS REMOVED EARLY IN THE CONSTRUCTION STAGE. COUNCILWOMAN JONES SAID THAT WITH THE FENCE GONE, THE MARKET IS NOT SECURE. MR. MALPHRUS COMMENTED THAT THE MARKET WAS NEVER SECURE BECAUSE THE REAR AREA OF THE MARKET WAS NEVER FENCED AND IT WOULD COST SEVERAL THOUSAND DOLLARS TO FENCE THE REAR AREA AND THEY DECIDED TO LEAVE IT DOWN AND SEE WHAT HAPPENS. COUNCILWOMAN JONES ASKED WHERE THE FENCE THAT WAS TAKEN DOWN WAS AND MR. MALPHRUS SAID IT WAS AT PUBLIC WORKS. VICE CHAIRMAN TUTEN STATED THAT THE TOWN OF RIDGELAND SAID THEY COULD PATROL THE AREA BETTER WITHOUT A FENCE.

**DECISION REGARDING THE REQUEST \$100,000.00 OF THE 3% A-TAX FUNDING FOR EXPANSION OF WELCOME CENTER AT POINT SOUTH:**

MR. WESTCOTT SAID THAT THEY WERE REQUESTING \$100,000.00 SO THEY COULD EXPAND THE WELCOME CENTER AT POINT SOUTH AND THAT PART OF THE EXPANSION WOULD INCLUDE A LARGE MEETING ROOM. MR. WESTCOTT SAID THAT \$500,000.00 WAS NEEDED FOR THE EXPANSION. COUNCILWOMAN JONES ASKED IF THE OTHER \$400,000.00 WAS COMMITTED AND MR. WESTCOTT REPLIED THAT IT WAS NOT, BUT IF THEY COULD NOT FIND OTHER SOURCES THEY CAN GET A LOAN BECAUSE THEY HAVE NO DEBT. VICE CHAIRMAN TUTEN SAID HE DID NOT VOTE FOR THIS BEFORE BECAUSE HE WAS CONCERNED ABOUT THE OTHER \$400,000.00. MR. WESTCOTT SAID THEY CAN GET A LOAN FOR WHATEVER WAS NOT FUNDED. VICE CHAIRMAN TUTEN MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION TO APPROVE THE \$100,000.00 FOR THE EXPANSION OF THE WELCOME CENTER AT POINT SOUTH AND THE FUNDS WERE TO BE PAID FROM THE H-TAX ACCOUNT. THE APPROVAL OF THE \$100,000.00 IS CONTINGENT UPON MR. WESTCOTT SECURING THE ADDITIONAL \$400,000.00 FOR THE PROJECT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDY FULGHUM - DISCUSSION REGARDING FURNITURE BID FOR NEW ANNEX BUILDING:**

MR. FULGHUM COMMENTED THAT AT THE LAST MEETING COUNCIL HAD SOME QUESTIONS ABOUT THE FURNITURE. MR. MALPHRUS SAID THE ORIGINAL BID FOR ALL NEW FURNITURE IN THE NEW ANNEX BUILDING

WAS \$181,000.00 AND HE LOOKED AT THE FURNITURE THE EMPLOYEES ARE CURRENTLY USING THAT THEY COULD TAKE TO THE NEW BUILDING. MR. MALPHRUS SAID AFTER HE ELIMINATED THE EXISTING FURNITURE THAT COULD BE USED THE BID WAS NOW \$161,551.56. MR. MALPHRUS SAID THE AUDITOR GOT A QUOTE FOR FURNITURE FOR HER OFFICE IN THE AMOUNT OF \$9,380.00, BUT THE KI BID DID INCLUDE ALL THE FURNITURE FOR THE AUDITOR'S STAFF. MR. MALPHRUS SAID THE QUOTE OF \$9,380.00 THE AUDITOR RECEIVED ALSO INCLUDES THE FURNITURE FOR THE AUDITOR'S STAFF. MR. MALPHRUS SAID IT WAS JUST A MATTER OF THE COUNCIL WANTED TO PURCHASE THE FURNITURE FROM KI OR THE FURNITURE THE AUDITOR'S BID. MR. MALPHRUS SAID IF THE COUNCIL APPROVED MS. HOLMES' BID, \$5,941.00 COULD BE DEDUCTED FROM THE KI BID. MR. MALPHRUS SAID THE KI BID DID NOT INCLUDE THE FURNITURE FOR MS. HOLME'S OFFICE. MR. MALPHRUS SAID IF THE COUNCIL ALLOWED MS. HOLMES TO PURCHASE HER FURNITURE AND CHAIRS THE \$9,380.00 WOULD NEED TO BE PAID, AND THE KI BID ALREADY INCLUDED FURNITURE FOR THE AUDITOR'S OFFICE. VICE CHAIRMAN TUTEN ASKED HOW MUCH MONEY HAS BEEN BUDGETED FOR THE FURNITURE. MR. MALPHRUS SAID THEY ESTIMATED \$200,000.00 FOR FURNITURE. VICE CHAIRMAN TUTEN ASKED IF THE MONEY WAS PART OF THE BOND FINANCING FOR THE ANNEX AND MR. MALPHRUS SAID THAT IT WAS. CHAIRMAN HOOD ASKED IF THE SAMPLE CHAIRS FOR THE COUNCIL WERE AVAILABLE. MR. MALPHRUS SHOWED THE CHAIRS TO THE COUNCIL. CHAIRMAN HOOD TOLD MR. MALPHRUS NOT TO ORDER CHAIRS FOR THE COUNCIL UNTIL COUNCIL APPROVED WHAT WAS SELECTED. MR. MALPHRUS ASKED IF THE COUNCIL ALLOWS MS. HOLMES TO PURCHASE THE FURNITURE AND THE COUNCIL WOULD NEED TO APPROVE THE ADDITIONAL PIECES OF FURNITURE NEEDED BY THE PEOPLE WHO ARE USING THEIR EXISTING TO MAKE THE FURNITURE WORK IN THE NEW LOCATION. MR. MALPHRUS SAID THAT HE REMOVED A DESK FOR THE COUNCIL'S OFFICE AND ONE FOR THE BUILDING DEPARTMENT. COUNCILWOMAN JONES ASKED IF THE CONFERENCE TABLE WAS REMOVED SINCE IT WAS IN GOOD SHAPE AND SHOULD GO TO THE NEW BUILDING. MR. FULGHUM SAID THAT THE CLERK OF COURT SAID SHE WAS DELIGHTED TO HAVE ANYTHING THAT WAS LEFT FOR HER TO USE. MR. MALPHRUS SAID HE WAS NOT SURE IF THEY DISCUSSED THE CONFERENCE TABLE. CHAIRMAN HOOD TOLD MR. MALPHRUS TO SEE IF THE CLERK OF COURT NEEDED THE CONFERENCE TABLE AND IF SHE DID NOT NEED IT, IT WAS TO BE MOVED TO THE NEW BUILDING. MR. MALPHRUS ASKED THE COUNCIL TO APPROVE THE BID FROM KI. MR. MALPHRUS SAID THAT THE LOCAL VENDOR IS NOT UNDER THE STATE CONTRACT AND IT IS NOT LEGAL UNDER THE PROCUREMENT POLICY AND MS. HOLMES WOULD NEED TO GET THREE BIDS TO MAKE IT LEGAL. COUNCILWOMAN JONES SAID THAT THERE WAS ONE BID FOR THE AUDITOR FROM KI AND ONE FROM THE LOCAL VENDOR. CHAIRMAN HOOD SAID THE DETAILS SHOULD HAVE BEEN WORKED OUT. MR

MALPHRUS RECOMMENDED TO APPROVE THE KI BID IN THE AMOUNT OF \$161,000.00 AND TO APPROVE THE AMOUNT NECESSARY TO PURCHASE THE ADDITIONAL FURNITURE NEEDED BY THE INDIVIDUALS WHO ARE MOVING THEIR EXISTING FURNITURE IN THE AMOUNT OF \$2,242.32. COUNCILWOMAN JONES ASKED IF IT DEPENDED ON WHO WE ARE THAT DETERMINES WHAT HAS TO GO OUT TO BID. COUNCILWOMAN JONES SAID THAT SHE FELT THE LOCAL VENDOR SHOULD BE USED IF MS. HOLMES WANTED THAT FURNITURE AND IT WAS COMPARABLE TO KI. COUNCILWOMAN JONES MOTIONED TO APPROVE THE AUDITOR TO PURCHASE THE FURNITURE AS REQUESTED IN THE AMOUNT OF \$9,380.00. VICE CHAIRMAN TUTEN SAID HE DID NOT LIKE VOTING ON SOMETHING THE NEW COUNCIL SHOULD BE APPROVING AND ASKED THAT THE APPROVAL OF THE BIDS BE TABLED UNTIL THE NEXT COUNCIL MEETING. CHAIRMAN HOOD SECONDED COUNCILWOMAN JONES MOTION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. VICE CHAIRMAN TUTEN MOTIONED TO ACCEPT THE OTHER TWO BIDS. THE MOTION DIED FOR LACK OF A SECOND.

**ANDY FULGHUM - UPDATE ON AFFORDABLE HOUSING ACTION PLAN:**

MR. FULGHUM DISTRIBUTED A MEMO THAT SUMMARIZED THE HIGH POINTS OF THE AFFORDABLE HOUSING ASSESSMENT MADE BY GVA MARQUETTE ADVISORS. MR. FULGHUM SAID THE MEMO ALSO INCLUDED HIS RECOMMENDATIONS. CHAIRMAN HOOD ASKED IF MR. FULGHUM LOOKED AT VARIOUS MODELS ACROSS THE STATE AS THE COUNTY NEEDS TO DO SOMETHING THAT THE COUNTY CAN BE PROUD OF IN YEARS TO COME. MR. FULGHUM RESPONDED THAT HE WENT OVER THE GVA MARQUETTE ADVISORS REPORT AND HE HAS SPOKEN WITH SEVERAL PEOPLE OUTSIDE OF THE AREA. MR. FULGHUM SAID HE WANTED TO MAKE IT A VERY COMPATIBLE PROGRAM. CHAIRMAN HOOD SAID HE WOULD LIKE TO SEE MODELS INCLUDED IN MR. FULGHUM'S ACTION PLAN.

**DISCUSSION OF THE ATTORNEY'S REPORT ON THE EMPLOYEE SURVEY:**

COUNCILWOMAN JONES SAID THAT SHE ASKED MR. MALPHRUS HOW MUCH THE STUDY COST AND SHE SAID THE STUDY COST THE TAXPAYERS OF JASPER COUNTY \$13,000.00 AND THAT WAS WHY SHE REQUESTED THAT IT BE PUT ON THE AGENDA. CHAIRMAN HOOD SAID THAT THE SURVEY WAS REQUESTED BECAUSE EMPLOYEES WERE AFRAID TO SPEAK OUT BECAUSE THEY WERE AFRAID FOR THEIR JOBS. CHAIRMAN HOOD SAID THEY HIRED ATTORNEY JOHNSON BECAUSE HIS FIRM DEALS WITH EMPLOYMENT LAW. CHAIRMAN HOOD SAID THAT HE FELT MANY OF THE THINGS RECOMMENDED BY THE ATTORNEY SHOULD HAVE ALREADY BEEN IN PLACE. COUNCILWOMAN JONES SAID THAT 25 EMPLOYEES WENT TO SEE THE ATTORNEY AND SOME REMARKED THAT THEY WERE NOT PAID ENOUGH, BUT WHEN THE SURVEY STUDY FROM SCAC WAS

PUBLISHED, IT SHOWED THAT THE EMPLOYEES OF JASPER COUNTY ARE PAID BETTER THAN MOST EMPLOYEES IN OTHER COUNTIES THE SIZE OF JASPER COUNTY. COUNCILWOMAN JONES ALSO SAID THAT JASPER COUNTY HAS MORE EMPLOYEES PER CITIZEN THAN THE OTHER COUNTIES IN THE STATE. COUNCILWOMAN JONES SAID THAT WITH THE HOLIDAYS, VACATION AND SICK DAYS IN ADDITION TO THE BENEFITS THE EMPLOYEES RECEIVE, SHE SAID THE EMPLOYEES ARE PAID PRETTY DARN GOOD. COUNCILWOMAN JONES SAID THE EMPLOYEES WENT TO THE ATTORNEY AND THEY EXPECT THE COUNCIL TO FIX THE THINGS THEY DISCUSSED. COUNCILWOMAN JONES SAID SHE FELT THE COUNCIL OWED IT TO THE EMPLOYEES TO DO SOMETHING ABOUT THE REPORT. COUNCILWOMAN JONES SAID THE EMPLOYEES SAID THAT PEOPLE WERE NOT TREATED FAIRLY AND FAVORITISM WAS SHOWN. COUNCILWOMAN JONES SAID THE EMPLOYEES WERE NOT RECEIVING ANNUAL EVALUATIONS AND THE COUNCIL HAS NOT GIVEN THE ADMINISTRATOR HIS ANNUAL EVALUATION. CHAIRMAN HOOD SAID HE FELT THE SURVEY THEY DID FOR ICMA WAS THE ADMINISTRATOR'S EVALUATION. VICE CHAIRMAN TUTEN SAID HE FILLED THE FORM OUT ON THE INTERNET, BUT HE NEVER RECEIVED THE RESULTS. COUNCILWOMAN JONES SAID THE DEPARTMENT HEADS NEED TO EVALUATE THEIR EMPLOYEES; THE ADMINISTRATOR NEEDS TO EVALUATE THE DEPARTMENT HEADS AND THE COUNCIL NEEDS TO EVALUATE THE ADMINISTRATOR. COUNCILWOMAN JONES STATED THAT THE COUNCIL NEEDS TO PASS A RESOLUTION REGARDING HOW COUNCIL MEMBERS BEHAVE DURING AN ELECTION, AND THAT CAMPAIGNING SHOULD NOT BE DONE ON COUNTY PROPERTY AND THE COUNCIL CANNOT THREATEN THE EMPLOYEES ABOUT THE WAY THEY VOTE. CHAIRMAN HOOD AGREED THAT THIS WAS A TOPIC THAT SHOULD BE STRONGLY CONSIDERED. CHAIRMAN HOOD SAID THAT THEY NEEDED TO STAY ON TARGET AND RAISES SHOULD BE BASED ON PERFORMANCE AND MERIT AND THE STAFF NEEDED TO BE TRAINED ON HOW TO DO AN EVALUATION, NOT JUST CHECK OFF RATINGS ON A FORM. CHAIRMAN HOOD SAID THE HR DEPARTMENT NEEDS TO BE LOOKED AT AND AN EMPLOYEE ASSESSMENT PROGRAM NEEDS TO BE PUT IN PLACE. CHAIRMAN HOOD SAID HE ALSO LIKED THE RECOMMENDATION THAT THE COUNCIL BE INFORMED AND THAT EMPLOYEES SHOULD FOLLOW THE CHAIN OF COMMAND. CHAIRMAN HOOD SAID THAT HE RECEIVED THE WAGE AND SALARY REPORT FROM SCAC AND HE HAS ASKED THE ADMINISTRATOR TO HAVE MS. LUCAS REPORT ON THIS MATTER. CHAIRMAN HOOD SAID HE DID NOT KNOW WHAT THE BUDGET WAS GOING TO BE LIKE IN THE COMING YEAR, BUT HE ALREADY KNOWS EVERYONE WANTS MORE MONEY, BUT IT WAS GOING TO BE A TIGHT YEAR AND EVERYTHING IS GOING TO BE WATCHED VERY CLOSELY AND EVERYONE DOES NOT NEED AN ACROSS-THE-BOARD RAISE. VICE CHAIRMAN TUTEN SAID HE DID NOT THINK THE NEW COUNCIL SHOULD TAKE THIS ITEM ON AND THAT THIS COUNCIL NEEDED TO APPROVE THE RECOMMENDATIONS OF THE ATTORNEY AND THE

ADMINISTRATOR SHOULD CARRY IT OUT. COUNCILMAN TUTEN MOTIONED TO ACCEPT THE RECOMMENDATIONS OF ATTORNEY JOHNSON. COUNCILWOMAN JONES SAID SHE DID NOT THINK THE COUNCIL MEMBERS PRESENT SHOULD VOTE ON THIS BECAUSE TWO OF THEM WOULD NOT BE ON THE COUNCIL IN JANUARY AND THIS WAS SOMETHING THE NEW COUNCIL NEEDED TO HANDLE SINCE THIS WILL NOT AFFECT THE COUNCIL MEMBERS THAT ARE LEAVING. CHAIRMAN HOOD SECONDED THE MOTION. THE MOTION CARRIED WITH CHAIRMAN HOOD AND VICE CHAIRMAN TUTEN VOTING FOR. COUNCILWOMAN JONES VOTED AGAINST. COUNCILWOMAN JONES COMMENTED THAT SHE FELT THIS SURVEY SHOULD BE LAID ON THE DESK OF THE NEW COUNCIL IN JANUARY AND THEY SHOULD DECIDE WHAT IS TO BE DONE. CHAIRMAN HOOD SAID THE MEMBERS OF COUNCIL, IN OFFICE IN JANUARY, CAN CHANGE THIS DECISION WITH THREE VOTES. ATTORNEY JONES SAID THAT ATTORNEY JOHNSON SENT A COPY OF HIS REPORT TO EACH COUNCIL MEMBER AND ONE FOR THE HIMSELF AND ONE FOR THE ADMINISTRATOR. ATTORNEY JONES SAID THAT IF THE COUNCIL WANTED TO MAKE THE REPORT PUBLIC, A MOTION WAS NEEDED. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO MAKE ATTORNEY JOHNSON'S REPORT AVAILABLE TO THE PUBLIC. THE MOTION WAS CARRIED BY ALL MEMBERS PRESENT VOTING IN FAVOR.

**NEW BUSINESS:**

**RONNIE REYNOLDS – DISCUSSION OF ZONING ISSUE:**

MR. REYNOLDS APPEARED BEFORE COUNCIL TO EXPLAIN THE PROBLEMS HE ENCOUNTERED WHEN HE WANTED TO MOVE A MOBILE HOME ONTO HIS PROPERTY FOR HIS DAUGHTER TO LIVE IN. MR. REYNOLDS SAID THAT THE HAD TO GO BETWEEN THE TOWN OF RIDGELAND AND THE COUNTY SEVERAL TIMES AND WHEN HE WANTED TO PLACE THE MOBILE HOME SO THAT IT COULD BE ENTERED FROM THE REAR THROUGH A LAUNDRY ROOM ON A DIRT AREA HE WAS TOLD THE MOBILE HOME HAD TO FACE THE ROAD BECAUSE OF 911 ADDRESSING. MR. REYNOLDS CHALLENGED THE COUNCIL MEMBERS TO GO THROUGH THE PROCESS HE HAD TO GO THROUGH TO MOVE A MOBILE HOME 3 MILES. MR. REYNOLDS SAID THE PROCESS NEEDED TO BE STREAMLINED AND THE COUNTY SHOULD ADVERTISE THAT THE CITIZENS CAN NO LONGER HAVE 2 RESIDENCES ON 1 PARCEL OF LAND. CHAIRMAN HOOD ASKED MR. REYNOLDS TO PUT HIS EXPERIENCE INTO WRITING. DAVID JIROUSEK SAID THAT HE SPOKE WITH MR. REYNOLDS ON THE SUBJECT OF ASSESSORY USES AND THAT THE ASSESSORY USES HAVE DIFFERENT LEVELS. MR. JIROUSEK SAID THAT HE RESEARCHED THE ISSUE AND THERE WERE A FEW WAYS FOR MR. REYNOLDS TO DO THIS AND HE WILL BE WORKING ON THIS MATTER IN JANUARY AND HE WILL BRING BACK RECOMMENDATIONS.

**DISCUSSION REGARDING APPOINTMENT OF MEMBER TO THE LCOG BOARD FOR THE MINORITY SEAT:**

CHAIRMAN HOOD INFORMED THE COUNCIL THAT MR. BICKLEY SPOKE WITH HIM ABOUT THE MINORITY MEMBER FOR THE LCOG BOARD. CHAIRMAN HOOD SAID THAT MR. ISAIAH ORR HAS SERVED ON THE BOARD FOR MANY YEARS, BUT HAS NOT BEEN ABLE TO ATTEND A MEETING IN OVER A YEAR. CHAIRMAN HOOD ASKED THE CLERK TO NOTIFY MR. ORR AND TO PLACE AN AD IN THE PAPER FOR INDIVIDUALS WHO WOULD BE INTERESTED IN SERVING ON THIS BOARD.

**APPOINTMENT OF MEMBER TO THE NEW LIFE CENTER BOARD:**

COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO APPOINT STEVE BENNETT TO THE NEW LIFE CENTER BOARD. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. THE DIRECTOR OF THE NEW LIFE CENTER RECOMMENDED MR. BENNETT'S APPOINTMENT.

**ANDREW FULGHUM - CONSIDERATION OF LETTER OF INTENT FOR STATE INFRASTRUCTURE BANK APPLICATION:**

MR. FULGHUM EXPLAINED THAT THE STRATFORD COMPANY, OWNERS OF A TRACT OF LAND IN HARDEEVILLE, HAS BEEN WORKING ON THIS WITH HOWELL AND LINKOUS AND THEY WERE HERE TO ASK COUNCIL TO CONSIDER PARTICIPATION IN THE PREPARATION AND NEGOTIATION OF THE S.C. STATE INFRASTRUCTURE GRANT. THE OWNER OF THE PROPERTY REQUESTED THAT THE CITY OF HARDEEVILLE AND THE COUNTY PARTICIPATE IN THE APPLICATION FOR THE FINANCING THROUGH THE GRANT OF ALL OR A PORTION OF THE ROAD IMPROVEMENTS. THE CITY OF HARDEEVILLE AND THE PROPERTY OWNERS WITH INPUT FROM THE COUNTY WILL IDENTIFY AND DESCRIBE THE IMPROVEMENTS TO BE INCLUDED IN THE APPLICATION. THE CITY OF HARDEEVILLE AND THE COUNTY WILL APPLY FOR THE GRANT FOR THE SOLE AND EXCLUSIVE PURPOSE OF FINANCING THE CONSTRUCTION OF THE IMPROVEMENTS. MR. O.C. VEST, A PARTNER IN THE STRATFORD COMPANY DISCUSSED A LETTER OF INTENT FOR IMPROVEMENTS TO I-95. MR. VEST DISCUSSED THE 5,100 ACRE TRACT IN HARDEEVILLE. MR. VEST INTRODUCED THE MEMBERS OF HIS TEAM, MARK MCDONALD, LAMAR MERCER, CHUCK MITCHELL AND ED BLACKLEY. MR. MITCHELL GAVE POWER POINT PRESENTATION OF RIVERPORT. MR. MITCHELL INFORMED THE COUNCIL OF THE BREAKDOWN OF THE VARIOUS USES OF THE PROPERTY AND DISCUSSED THE FACT THAT THE PROPERTY IS PERFECTLY SITUATED FOR PORT RELATED USES. MR. MITCHELL SAID THIS DEVELOPMENT WILL BE A JOB GENERATOR FIRST AND A RESIDENTIAL GENERATOR SECOND. COUNCILWOMAN JONES ASKED IF THE DISTRIBUTION CENTERS WERE IN PHASE I AND MR. MITCHELL SAID THAT FLEX SPACE WILL BE AVAILABLE BY JUNE, 2009. CHAIRMAN HOOD ASKED WHAT AREA WOULD BE DEVELOPED FIRST AND MR. MITCHELL SAID THE PROPERTY DIRECTLY

ADJACENT TO HWY 17 WHERE IT IS FOUR LANED. MR. MITCHELL SAID THE PORT IS WHAT THE PROJECT IS ALL ABOUT. MR. HOWELL DISCUSSED THE LOCAL MATCH AND THAT STRATFORD COMPANY IS RESPONSIBLE FOR PAYING FOR ALL COSTS TO FULLY COMPLETE THE APPLICATION TO THE STATE. STRAFORD COMPANY IS TO SET UP ESCROW FUNDS TO PAY FOR ALL COSTS. STRAFORD COMPANY AGREES TO PAY ALL PLANNING, ENGINEERING AND LEGAL COSTS INCURRED BY, OR ON BEHALF OF THE CITY OR THE COUNTY, OR BOTH IN CONNECTION WITH THE PREPARATION OF THE APPLICATION AND WITHOUT LIMITATION, ALL COSTS INCURRED IN THE CONNECTION WITH THE DEVELOPMENT OF THE APPROPRIATE LEGAL DOCUMENTS NECESSARY TO EFFECTUATE THE GRANT, INCLUDING LEGAL COUNSEL FOR THE CITY AND THE COUNTY. MR. HOWELL SAID WHEN THE COUNTY COUNCIL IS SATISFIED, THE APPLICATION WILL BE SENT IN FOR THE COMPETITIVE PROCESS AND THE TEAM FEELS IT WILL BE A COMPETITIVE APPLICATION AND IT WILL SHOW HOW IT TIES INTO THE FUTURE PLANS. MR. HOWELL SAID THE APPLICATION SHOULD BE READY FOR COUNCIL TO REVIEW BY MID JANUARY. MR. FULGHUM SAID THAT \$15,000.00 WAS INCLUDED TO COVER THE COUNTY'S ATTORNEY'S FEES. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO DO A LETTER OF INTENT FOR A STATE INFRASTRUCTURE BANK APPLICATION. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM – REQUEST FOR FUNDING THE JASPER COUNTY PORTION OF THE LOW COUNTRY ECONOMIC ALLIANCE:**

MR. FULGHUM EXPLAINED THAT THE COUNCIL APPROVED \$20,000.00 IN THE BUDGET FOR THE MEMBERSHIP IN THE LOW COUNTRY ECONOMIC ALLIANCE. MR. FULGHUM SAID THAT HE AND CHAIRMAN HOOD ARE MEMBERS OF THE ALLIANCE AND THAT THE ALLIANCE IS WITH BEAUFORT COUNTY. MR. FULGHUM SAID THAT THE ALLIANCE HAS ALREADY MADE HEADWAY AND THEY HAVE DONE SOME VERY PROFESSIONAL MARKETING. COUNCILWOMAN JONES ASKED IF THE COUNTY HAD TWO VOTING MEMBERS AND MR. FULGHUM SAID THE COUNTY HAS TWO SEATS IN THE NETWORK AND TWO MEMBERS ON THE ALLIANCE BOARD. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO APPROVE THE \$20,000.00 FOR FUNDING JASPER COUNTY'S PORTION OF THE LOW COUNTRY ECONOMIC ALLIANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RONNIE MALPHRUS - APPROVAL OF PHONE SYSTEM PROPOSAL FOR ANNEX BUILDING:**

MR MALPHRUS PRESENTED THE PROPOSAL FOR THE NEW PHONE SYSTEM FOR THE ANNEX BUILDING. THE PROPOSAL WAS IN THE AMOUNT OF \$238,351.00 AND THERE WAS AN ANNUAL MAINTENANCE FEE OF \$32,850.00. MR. MALPHRUS EXPLAINED THAT WHEN THE COURTHOUSE OR ANY

OTHER PHONE SERVICE IS NEEDED, ALL THE COUNTY HAS TO DO IS BUY THE PHONE SETS. COUNCILWOMAN JONES ASKED IF THE CURRENT EXECUTIVE BUILDING WOULD USE THIS SYSTEM AND MR. MALPHRUS SAID THIS BUILDING WOULD USE THE SYSTEM THAT IS CURRENTLY INSTALLED. CHAIRMAN HOOD SAID THAT HE WENT TO CHARLESTON WITH THE STAFF TO SEE THE SYSTEM AND HE WAS VERY IMPRESSED. VICE CHAIRMAN TUTEN ASKED WHERE THE MONEY WAS COMING FROM AND MR. MALPHRUS SAID THAT IT WAS PART OF THE BONDING FINANCING. CHAIRMAN HOOD SAID THAT ALL THE VOICE MAIL CALLS WILL BE SENT TO THE PERSON'S E-MAIL. MR. MALPHRUS SAID THAT THIS CAN BE EXPANDED TO THAT THERE IS ONLY ONE PHONE SYSTEM FOR THE ENTIRE COUNTY AND WHEN YOU MOVE TO ANOTHER LOCATION, YOU CAN TAKE YOUR PHONE WITH YOU AND NOTHING HAS TO BE REWIRED. MR. MALPHRUS SAID THAT TRAINING ON HOW TO USE THE SYSTEM IS INCLUDED IN THE PRICE. COUNCILWOMAN JONES MOTIONED AND VICE CHAIRMAN TUTEN SECONDED THE MOTION TO APPROVE THE PHONE SYSTEM PROPOSAL IN THE AMOUNT OF \$238,351.00 AND IT IS TO BE PAID FOR FROM THE BOND FINANCING AND TO APPROVE THE \$31,850.00 ANNUAL MAINTENANCE FEE WHICH WILL BE INCLUDED IN THE BUDGET. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**COMMITTEE REPORTS:**

COUNCILWOMAN JONES REPORTED ON A MEETING WITH THE RESIDENTS FROM THE ROBERTVILLE AREA REGARDING A WALKWAY THAT WAS TO BE INSTALLED WITH GRANT FUNDING. COUNCILWOMAN JONES SAID THE RESIDENTS WERE CONCERNED THE WATER DRAINAGE IF THE WALKWAY WAS INSTALLED AND THEY REQUESTED THAT AN ENGINEER LOOK INTO THE PROJECT AND THE COUNTY TO HAVE A PLAN BEFORE THEY MOVED FORWARD WITH THE WALKWAY. COUNCILWOMAN JONES SAID THAT MR. FULGHUM AND MR. DAVIS WERE TO GET AN ENGINEER TO EVALUATE THE SITUATION AND REPORT BACK TO COUNCIL. MR. FULGHUM COMMENTED THAT HE SPOKE WITH MR. DAVIS REGARDING THIS MATTER.

COUNCILWOMAN JONES REPORTED ON A MEETING THAT SHE ATTENDED IN CHARLESTON. COUNCILWOMAN JONES SAID THAT THE BILLS THE COUNTIES WANTED THE LEGISLATURE TO LOOK AT NEXT YEAR WERE PRESENTED AND DISCUSSED. COUNCILWOMAN JONES SAID THE OUT-LOOK FOR THE ECONOMY IS NOT LOOKING GOOD FOR THE NEXT YEAR TO YEAR AND A HALF AND THE STATE IS TALKING ABOUT CUTTING THE BUDGET AND THE COUNCIL AND THE ADMINISTRATION NEEDS TO MAKE SURE THEY ARE NOT SPENDING ALL THE FUNDS THAT THE COUNTY HAS. COUNCILWOMAN JONES SAID THAT TOM DAVIS WAS THE SPEAKER AT THE CONFERENCE AND HE SAID THAT HE WILL CONTINUE TO WORK ON THE PORT ISSUE. COUNCILWOMAN JONES SAID THAT MR. DAVIS WAS A GOOD HOME RULE ADVOCATE AND HE IS GOING TO TRY TO PROTECT THE COUNTIES.

COUNCILWOMAN JONES SAID SHE HAS BEEN SERVING ON THE SOUTHERN BEAUFORT REGIONAL PLAN IMPLEMENTATION COMMITTEE AND THE COUNCIL WILL NEED TO APPOINT A NEW REPRESENTATIVE IN JANUARY. VICE CHAIRMAN TUTEN EXPRESSED HIS GRATITUDE TO THE CITIZENS FOR ALLOWING HIM TO SERVE ON COUNCIL FOR THE PAST FOUR YEARS. VICE CHAIRMAN TUTEN WISHED MR. ETHERIDGE LUCK AND VICE CHAIRMAN TUTEN SAID THAT SERVING ON COUNCIL HAS BEEN A REAL LEARNING EXPERIENCE AND THAT HE ALWAYS PRAYED BEFORE HE DOES ANYTHING. VICE CHAIRMAN TUTEN SAID HE PRAYED ABOUT THE BAGGY PANTS ORDINANCE AND WHEN THE BEAUFORT GAZETTE CAME OUT ON SUNDAY, HE MADE UP HIS MIND ABOUT THE ORDINANCE.

CHAIRMAN HOOD ASKED COUNCILWOMAN JONES AND VICE CHAIRMAN TUTEN TO COME TO THE JANUARY 5, 2009 MEETING TO RECEIVE A PLAQUE FOR THEIR YEARS OF SERVICE. CHAIRMAN HOOD SAID THAT SERVING ON COUNCIL IS A FULL-TIME JOB AND YOU HAVE TO PUT YOUR HEART INTO IT AND DO THE BEST THAT YOU CAN TO MEET THE NEEDS OF THE CITIZENS. CHAIRMAN HOOD DISCUSSED A LETTER FROM THE BOARD OF DISABILITES REGARDING THE COUNTY'S SURPLUS CARS. CHAIRMAN HOOD ASKED THE CLERK TO PLACE THIS ON THE AGENDA OF THE NEXT COUNCIL MEETING. CHAIRMAN HOOD REPORTED ON LETTERS HE RECEIVED REGARDING SEVERAL ISSUES AT THE DETENTION CENTER. CHAIRMAN HOOD SAID THAT SOME CITIZENS HAVE BEEN COMPLAINING ABOUT THE ODORS AT THE WASTE MANAGEMENT LANDFILL AND HE ASKED THE CLERK TO PASS THE INFORMATION ON TO THE NEW COUNCIL MEMBERS. CHAIRMAN HOOD ASKED THE ATTORNEY TO LOOK INTO THE MATTER AND TO RESPOND TO THE INDIVIDUAL. CHAIRMAN HOOD REPORTED THAT LOBBY DAY IN COLUMBIA IS FEB. 3, 2009. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO REPORT ON THE ISO RATINGS AT THE JANUARY MEETING.

**ADMINISTRATORS' REPORTS:**

MR. FULGHUM REPORTED THAT THE TRANSPORTATION COMMITTEE APPROVED FUNDING TO PAVE THE PARKING LOT AT THE PERRY HOUSE. MR. FULGHUM SAID THE PAVING NEEDED TO BE COMPLETED PRIOR TO GETTING AN OCCUPANCY PERMIT FOR THE NEW ANNEX BUILDING.

MR. FULGHUM REPORTED THAT HABITAT FOR HUMANITY RECEIVED AN ADDITIONAL GRANT THROUGH THE LBDG WHICH BRINGS THE TOTAL AMOUNT RECEIVED TO \$235,067.00.

COUNCILWOMAN JONES TOLD THE ADMINISTRATOR THAT SEVERAL CITIZENS HAVE COMPLAINED ABOUT THE NOISE WHEN THE TRANSFORMER COMES ON AT THE NEW ANNEX BUILDING. MR. FULGHUM SAID A PRIVACY FENCE IS BEING INSTALLED.

**OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER INDIVIDUAL):**  
CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

COUNCILMAN ELECT HENRY ETHERIDGE ASKED WHEN THE EMPLOYEE SURVEY WAS ORDERED AND COUNCILWOMAN JONES RESPONDED THAT IT WAS ORDERD ABOUT SIX MONTHS AGO. COUNCILMAN-ELECT ETHERIDGE ASKED WHEN WAS THE RESPONSE RECEIVED AND COUNCILWOMAN JONES SAID THE LETTER STATED IT WAS WRITTEN ON OCTOBER 30, 2008. COUNCILMAN-ELECT ETHERIDGE ASKED WHEN THE COUNCIL RECEIVED THE REPORT AND CHAIRMAN HOOD SAID HE WAS NOT SURE AND COUNCILMAN-ELECT ETHERIDGE SAID THAT THE COUNCIL HAS HAD THE REPORT FOR A WHILE AND HE ASKED IF THE COUNCIL EVER DISCUSSED THE SURVEY IN EXECUTIVE SESSION. CHAIRMAN HOOD SAID THAT WHEN HE PUT THE SURVEY ON THE AGENDA, HE HAD PLACED THE DISCUSSION IN EXECUTIVE SESSION. COUNCILMAN-ELECT ETHERIDGE ASKED WHEN IT WAS PUT ON THE AGENDA AND CHAIRMAN HOOD SAID THAT THE DISCUSSION BE IN OPEN SESSION WAS PUT ON THE AGENDA AT THE BEGINNING OF THE MEETING BY MOTION AND VOTE OF THE COUNCIL. CHAIRMAN HOOD SAID HE SPOKE WITH THE ATTORNEY REGARDING IT BEING DISCUSSED IN OPEN SESSION AND THE ATTORNEY ADVISED HIM THAT IT COULD BE. CHAIRMAN HOOD SAID THAT ABOUT 10% OF THE EMPLOYEES TOOK PART IN THE SURVEY AND HE AND THE ATTORNEY DISCUSSED THE SURVEY WITH THE ELECTED OFFICIALS. COUNCILMAN-ELECT ETHERIDGE SAID HE DID NOT UNDERSTAND THE URGENCY TO VOTE ON THE REPORT SINCE ONLY ONE MEMBER PRESENT TONIGHT WOULD BE ON COUNCIL IN JANUARY AND FOUR OF THE MEMBERS OF NEXT YEAR'S COUNCIL DID NOT HAVE AN OPPORTUNITY TO DISCUSS THE SURVEY BEFORE IT WAS ACTED ON. CHAIRMAN HOOD SAID THAT THE THREE MEMBERS PRESENT VOTED TO PUT IT ON THE AGENDA. COUNCILMAN-ELECT ETHERIDGE SAID THAT THERE MUST HAVE BEEN SOMETHING IN THE REPORT THAT NEEDED TO BE ADDRESSED IMMEDIATELY. CHAIRMAN HOOD SAID THE STUDY DID NOT TALK ABOUT PEOPLE, IT ADDRESSED POSITIONS. CHAIRMAN HOOD SAID HE DID NOT THINK THERE WAS ANYTHING IN THE REPORT THAT WAS NOT FOR THE GOOD OF THE ORGANIZATION AND THE DECISION MADE TONIGHT COULD BE CHANGED WITH THREE VOTES OF COUNCIL. COUNCILMAN-ELECT ETHERIDGE SAID THAT THE COUNCIL MEMBERS PRESENT TONIGHT DEFERRED SEVERAL ITEMS TO THE NEWLY SEATED COUNCIL IN JANUARY EXCEPT THIS SURVEY. COUNCILMAN-ELECT ETHERIDGE SAID HE IS GOING TO STUDY THE REPORT AND TRY TO FIND OUT WHY THEY FELT THEY NEEDED TO ACT ON IT, WHEN FOUR PEOPLE WHO WILL BE IN OFFICE IN JANUARY, (TWO WHO WERE NOT PRESENT, AND TWO WHO DID NOT GET A COPY OF THE STUDY AND WOULD NOT BE ABLE TO VOTE UNTIL JANUARY), HAD NO INPUT ON THE DECISION AND THEY ARE THE ONES WHO WILL BE IN OFFICE FOR THE NEXT TWO TO FOUR YEARS, CHAIRMAN HOOD SAID THAT WHAT WAS DONE AT THIS MEETING CAN BE CHANGED IN JANUARY BY THREE MEMBERS OF THE COUNCIL VOTING TO CHANGE IT.

DEL DAVIDSON THANKED THE COUNCIL FOR THE WORK THEY DID ON PERFECTING THE BAGGY PANTS ORDINANCE. MR. DAVIDSON COMMENTED THAT THE ORDINANCE DID NOT NEED TO BE ABUSED AS A LOT OF LAWSUITS COULD BE COMING AS A RESULT OF THE ORDINANCE. COUNCILMAN-ELECT GREGORY SAID HE LISTENED TO THE SAME THING THAT COUNCILMAN-ELECT ETHERIDGE COMMENTED ON AND HE WAS TRYING TO UNDERSTAND WHAT THEY WERE DOING AND IF THEY WERE GOING TO TURN THE HEAT ON THE EMPLOYEES, THEN THEY ALSO NEEDED TO TURN THE HEAT ON THEMSELVES SINCE THE LAW FIRMS REPORT DISCUSSED THE MICROMANAGEMENT THE COUNCIL HAS BEEN DOING. COUNCILMAN-ELECT GREGORY SAID THAT ACCORDING TO HOME RULE, THE ADMINISTRATOR IS RESPONSIBLE FOR THE EMPLOYEES AND THE COUNCIL MAKES THE POLICY AND THE ADMINISTRATOR IS TO CARRY THAT POLICY OUT. COUNCILMAN-ELECT GREGORY SAID HE DID NOT SEE THE URGENCY FOR THIS COUNCIL TO WORK ON THIS AND EVERYTHING CAN BE REDONE, BUT IT WAS NOT NECESSARY TO APPROVE THE FINDINGS TONIGHT AND THREE VOTES CAN CHANGE IT. COUNCILMAN-ELECT GREGORY SAID THAT FIVE PEOPLE ARE ELECTED TO MOVE THE COUNTY FORWARD AND NOT EVERYTHING IS THE ADMINISTRATOR'S FAULT. COUNCILMAN-ELECT GREGORY SAID HE WILL BEGIN HIS TERM ON COUNCIL IN JANUARY AND MR. FULGHUM IS NOT THE ONLY PERSON AT FAULT AND THE COUNCIL NEEDS TO ACCEPT THAT THEY ARE ALSO AT FAULT. CHAIRMAN HOOD SAID THAT WHEN THE COUNCIL VOTED TONIGHT, MICO-MANAGEMENT WAS INCLUDED.

MR. POLLEN DISCUSSED THE 92 ACRE SAND PIT PROPOSED IN TARBORO AND ASKED THE COUNCIL TO LOOK INTO IT. MR. POLLEN SAID THAT THE CITIZENS ONLY HAD 10 DAYS TO RESPOND. CHAIRMAN HOOD SAID THE COUNTY WAS LOOKING INTO IT. COUNCILWOMAN JONES SAID THE COUNTY CURRENTLY HAS AN ORDINANCE IN PLACE AND THE PLANNING COMMISSION WAS WORKING ON A NEW ONE AND IF DHEC APPROVED THE PERMIT, IT STILL HAD TO COME BACK TO THE PLANNING COMMISSION TO MAKE SURE IT MEETS THE COUNTY'S REGULATIONS. DAVID JIROUSEK SAID THAT THE CURRENT ORDINANCE REQUIRES A 1,000 FOOT SET BACK. MR. JIROUSEK SAID A COUNTY ZONING PERMIT WILL ALSO BE REQUIRED AND IF EXPANDED THE OWNER OF THE PIT WILL NEED ANOTHER VARIANCE. MR. JIROUSEK SAID THE PLANNING COMMISSION MEMBERS WERE GOING TO VISIT THE SITE. CHAIRMAN HOOD ASKED MR. POLLEN TO WORK WITH THE PLANNING COMMISSION AND MR. JIROUSEK AND THAT THE COUNTY WAS GOING TO DO EVERYTHING POSSIBLE TO MAKE THIS A GOOD SITUATION AND EVERYTHING THAT CAN BE DONE WITHIN THE LAW, WILL BE DONE. MR. POLLEN SAID HE FELT THE COUNCIL SHOULD PUT A FREEZE ON THIS UNTIL SOMETHING CAN BE DONE. MR. POLLEN SAID THIS SAND PIT IS COMING TO AN AREA WHERE PEOPLE HAVE LIVED ALL THEIR LIVES AND A SAND PIT SHOULD NOT BE ALLOWED IN A NEIGHBORHOOD. MR. POLLEN SAID THIS IS A SERIOUS MATTER ABOUT A 92 ACRE SAND PIT THAT WILL BE 30 FEET DEEP. CHAIRMAN

HOOD ASKED THE ATTORNEY TO GET A COPY OF THE INFORMATION FROM MR. JIROUSEK.

DR. BOSTICK SAID HE WAS AN ADJACENT LANDOWNER TO THE PROPOSED SAND PIT. DR. BOSTICK SAID THAT A 148 ACRE SITE ALREADY HAS A PERMIT FOR A 5 ACRE PIT AND DHEC SENT A LETTER TO THE SURROUNDING PROPERTY OWNERS REGARDING THE 92 ACRE PIT THAT WILL BE 30 FEET DEEP. DR. BOSTICK SAID THE LOCATION OF THIS PIT IS IN AN ESTABLISHED NEIGHBORHOOD AND THE LAND BACKS UP TO A JASPER COUNTY RECREATION CENTER. DR. BOSTICK SAID HE WAS ALSO CONCERNED ABOUT THE WATER AND THE STATE DID NOT NOTIFY THE COUNTY AS THE PLANNING COMMISSION HAD PREVIOUSLY REQUESTED THE STATE MAKE PART OF THE PROCEDURE. DR. BOSTICK SAID HE WAS AT THE MEETING TO MAKE SURE THE COUNCIL WAS AWARE OF WHAT WAS HAPPENING IN THE COMMUNITY AND THAT HE WANTED THE COUNCIL TO BE AWARE OF THIS BEFORE IT HAPPENS. DR. BOSTICK SAID THAT PEOPLE SOMETIMES COME AFTER THE FACT AND NOTHING CAN BE DONE, BUT HE WANTED THE COUNCIL TO KNOW BEFOREHAND SO THAT THEY DO NOT LET THINGS LIKE THIS HAPPEN IN COMMUNITIES AND THAT THERE ARE TIMES WHEN THINGS SLIP THROUGH THE CRACKS. DR. BOSTICK SAID THAT 50 PEOPLE SIGNED A PETITION AND SENT IT TO THE STATE REQUESTING A PUBLIC HEARING. COUNCILWOMAN JONES RECOMMENDED THAT THE CITIZENS ATTEND THE PUBLIC HEARING. DR. BOSTICK SAID THAT IF THIS COMES TO THE PLANNING COMMISSION, IT WILL ALSO BE COMING BEFORE COUNCIL. DAVID JIROUSEK ADDED THAT IF DHEC APPROVAL WAS GIVEN, IT STILL NEEDS A COUNTY PERMIT AND THE 1,000 FT. SET BACK WAS STILL IN PLACE AND THAT THE SITE PLAN DOES NOT MAKE A LOT OF SENSE. COUNCILWOMAN JONES SAID THAT THE LAST ISSUE THE PLANNING COMMISSION TURNED DOWN, THE BZA OVERRODE THEIR PLANNING COMMISSION'S DECISION. COUNCILWOMAN JONES SAID THE COUNCIL DISAGREED WITH THE BZA AND SUED THEM OVER THE ISSUE.

LOUISE ROWLAND ADVISED MR. POLLEN TO STAY ON TOP OF THE SITUATION SO HE DOESN'T GET INTO THE PROBLEMS HER FAMILY HAS HAD WITH WASTE MANAGEMENT, THE CONCRETE PLANT AND THE INCINERATOR. MRS. ROWLAND SAID SHE AND HER SISTER WERE INTERVIEWED BY THE BEAUFORT GAZETTE, BUT THEIR ISSUES WERE NOT ADDRESSED IN THE PAPER. CHAIRMAN HOOD SUGGESTED SENDING THEIR VIEWS TO THE EDITOR IN WRITING.

HERBERT PINCKNEY SAID HE SUPPORTED THE CITIZENS IN TARBORO REGARDING THE MINING OPERATION AND HE THANKED COUNCILWOMAN JONES AND VICE CHAIRMAN TUTEN FOR THEIR SERVICE TO JASPER COUNTY.

CHAIRMAN HOOD ASKED ATTORNEY JONES TO BE INVOLVED WITH THE PLANNING COMMISSION AND TO ADVISE THE COUNCIL.

BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

**EXECUTIVE SESSION:**

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

**RETURN TO REGULAR SESSION:**

VICE CHAIRMAN TUTEN MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION TO RETURN TO REGULAR SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD REPORTED THAT THE COUNCIL RECEIVED INFORMATION ON CONTRACTUAL MATTERS AND NO ACTION WAS NEEDED.

CHAIRMAN HOOD REPORTED THAT THE COUNCIL RECEIVED INFORMATION REGARDING SEVERAL EMPLOYMENT MATTERS AND NO ACTION WAS NEEDED.

**ADJOURN:**

VICE CHAIRMAN TUTEN MOTIONED AND COUNCILWOMAN JONES SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILWOMAN JONES ASKED MR. MALPHRUS ABOUT THE FUNDS THAT WERE SPENT ON THE FARMERS' MARKET. THE CLERK ASKED IF SHE SHOULD CONTINUE TO TAKE THE MINUTES SINCE THE COUNCIL MADE, SECONDED, AND VOTED TO ADJOURN THE MEETING. CHAIRMAN HOOD STATED THAT THE MEETING WAS NOT ADJOURNED UNTIL HE BROUGHT DOWN THE GAVEL.

COUNCILWOMAN JONES ASKED WHY FUNDS WERE SPENT FROM THE ECONOMIC DEVELOPMENT FUND FOR THE FARMERS' MARKET EXPENSES. MR. FULGHUM SAID THAT IT WAS PAID UNDER SPECIAL PROJECTS. MR. MALPHRUS SAID THAT \$7,000-\$8,000.00 WAS SPENT.

MR. FULGHUM ASKED IF THE COUNCIL WANTED TO DO ANYTHING ABOUT THE FURNITURE FOR THE NEW ANNEX BUILDING. MR. MALPHRUS SUGGESTED ASSIGNING A COMMITTEE AND CHAIRMAN HOOD ASKED IF VICE CHAIRMAN TUTEN AND COUNCILWOMAN JONES WANTED TO WORK ON THIS ISSUE OR HAVE THE NEW COUNCIL HANDLE IT. MR. MALPHRUS SAID HE DID NOT KNOW WHAT THE COUNCIL WAS LOOKING FOR AND THAT THE FURNITURE COMPANY DID MEASUREMENTS AND CERTAIN CODES HAVE TO BE MET. THE COUNCIL CONTINUED TO DISCUSS THE FURNITURE AND VICE CHAIRMAN TUTEN COMMENTED THAT THE BID

WAS \$40,000.00 UNDER THE AMOUNT BUDGETED. MR. MALPHRUS SAID ANOTHER \$10,000.00 CAN BE DEDUCTED FOR THE AUDITOR'S FURNITURE. CHAIRMAN HOOD SAID HE CHECKED THE CHAIRS SUGGESTED BY KI FOR THE COUNCIL AND THEY LOOKED LIKE SECRETARIAL CHAIRS. CHAIRMAN HOOD SAID HE LIKED THE LEATHER EXECUTIVE CHAIRS FROM MASON'S FURNITURE. VICE CHAIRMAN TUTEN MOTIONED AND CHAIRMAN HOOD SECONDED THE MOTION TO APPROVE THE KI BID IN THE AMOUNT OF \$151,000.00 FOR FURNITURE TO THE NEW ANNEX BUILDING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. CHAIRMAN HOOD TOLD MR. MALPHRUS TO BRING THE OTHER FURNITURE ITEMS BACK TO COUNCIL IN JANUARY.

CHAIRMAN HOOD BROUGHT DOWN THE GAVEL TO END THE MEETING. THE MEETING ENDED AT 9:50 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