

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
DECEMBER 20, 2007
1:30 P.M.
SPECIAL CALLED MEETING**

OFFICIALS PRESENT:

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

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM ADM SER.
MARVIN JONES, ATTORNEY
JUDITH FRANK, 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 1:30 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION:

COUNCILMAN TUTEN GAVE THE INVOCATION.

EXTENSION OF SALES CONTRACT:

CHAIRMAN HOOD EXPLAINED THAT THE MEETING WAS BEING HELD TO DECIDE IF THE COUNCIL WANTED TO EXTEND THE SALES CONTRACT WITH GSM PROPERTIES, LLC FOR THE OLD HOSPITAL.

THERESA YOUNIS DISCUSSED THE LETTER SHE SENT TO THE COUNCIL MEMBERS AND SAID THAT SINCE LOCATING IN JASPER COUNTY, THE AGAPE HOSPICE HAS SERVED OVER 100 CITIZENS SINCE MARCH. MS. YOUNIS SAID THEY HAVE AN AMBULANCE STATIONED IN JASPER COUNTY AND THAT SHE HAD DISCUSSION WITH THE COUNTY'S PREVIOUS DEPUTY ADMINISTRATOR OF EMERGENCY SERVICES, TOM WATSON, ABOUT HELPING THE COUNTY TO RESPOND TO CALLS AND THEY HAVE BEEN DOING THAT. MS. YOUNIS SAID THAT SHE WANTS WHAT IS BEST FOR JASPER COUNTY AND IF IT IS THE WILL OF THE COUNCIL TO SELL THE PROPERTY TO ANOTHER COMPANY SHE WOULD UNDERSTAND, BUT AGAPE HAS BEEN HERE SINCE MARCH AND SHE HOPES TO BRING ALL THE LEVELS OF CARE BEING PROVIDED BY AGAPE IN COLUMBIA TO JASPER COUNTY. MS. YOUNIS SAID THAT SHE HAS MET WITH MALPHRUS CONSTRUCTION REGARDING THE PLANS FOR AN 80 BED FACILITY AT THE OLD HOSPITAL AND A 25,000 SQ. FT. BUILDING IN FRONT OF THE OLD HOSPITAL. MS. YOUNIS SAID THE QUOTES FOR THE CONSTRUCTION ARE OVER \$10,000,000.00 AND THAT CONSTRUCTION CAN START IN THE 2008. MS. YOUNIS SAID THAT IF THE COUNCIL DECIDES TO GRANT THE EXTENSION, AGAPE WILL CONTINUE TO MOVE FORWARD DURING THE READINGS OF THE ORDINANCE SO THAT SHE CAN STAY ON THE PROJECTED TIMELINE. MS. YOUNIS SAID THAT AS SOON AS THEY GET THE CERTIFICATE OF OCCUPANCY, RESIDENTS WILL BE MOVED INTO THE FACILITY. MS. YOUNIS SAID THEY WERE BUILDING TO A SKILLED CODE LEVEL WHICH WILL ALLOW FOR SPECIALIZED CARE. MS. YOUNIS CONTINUED THAT A PAYROLL OF OVER \$800,000.00 IS PROJECTED. MS. YOUNIS SAID THAT SHE APOLOGIZED FOR MISSING THE DATE FOR CLOSING AND SHE BLAMED NO ONE BUT HERSELF. SHE SAID THAT SHE WAS NOT EXPERIENCED WITH THIS, BUT SHE WOULD LIKE TO SEE THE CONTRACT EXTENDED SO THAT THEY COULD MOVE FORWARD. COUNCILMAN TUTEN SAID THAT MR. JEFFCOAT IS A DEVELOPER THAT HAS A REPUTATION FOR GETTING THINGS DONE AND HE ASKED IF MS. YOUNIS HAD THAT SAME KIND OF REPUTATION. MS. YOUNIS RESPONDED THAT SHE IS NOT A DEVELOPER, BUT THAT HER FOCUS IS ON A FAITH BASED HEALTHCARE AND THEY STARTED IN 1999 WITH 40 BEDS AND THEY CURRENTLY HAVE OVER 900 BEDS, THEY HAVE ASSISTED LIVING FACILITIES, HOSPICE CARE, ANCILLARY SERVICES, NURSING HOMES, A PHARMACY AND AMBULANCE SERVICES IN PLACE. COUNCILMAN TYLER ASKED IF THE COUNTY WAS AT FAULT FOR THE

PROJECT NOT BEING ON TRACK. MS. YOUNIS SAID THAT AGAPE IS RESTRUCTURING AND TRYING TO HAVE WHAT NEEDS TO BE DONE IN THE COMMUNITY. MS. YOUNIS SAID THE CLOSING WAS LEFT TO THE ATTORNEY AND IT NEVER CROSSED HER MIND AND SHE DEPENDED ON THE ATTORNEY. MS. YOUNIS SAID THAT SHE HAS HAD A LONG CONVERSATION AT A MEETING IN COLUMBIA TO MAKE SURE THIS NEVER HAPPENS AGAIN. COUNCILMAN TYLER ASKED IF THE ADMINISTRATION SHOULD HAVE KEPT THINGS UP TO DATE. MS. YOUNIS SAID THAT SHE ACCEPTED THE BLAME FOR THE MISTAKE. MS. YOUNIS SAID THAT ATTORNEYS AND BANKERS DEAL WITH THE CLOSINGS AND AN EXTENSION SHOULD HAVE BEEN REQUESTED AND IT WAS NOT. MS. YOUNIS SAID THAT A NEW SURVEY WAS REQUIRED TO CLOSE AND THE LOCAL SURVEYOR DID NOT HAVE THE SURVEY COMPLETED UNTIL AFTER THE REQUIRED CLOSING DATE AND NO ONE DISCUSSED GETTING AN EXTENSION TO THE CONTRACT. COUNCILMAN BLACKSHEAR ASKED IF THE COUNTY DID NOT EXTEND THE CONTRACT WOULD SHE STILL LOCATE IN JASPER COUNTY. MS. YOUNIS SAID YES, THE COMPANY WOULD STILL LOCATE IN JASPER COUNTY. CHAIRMAN HOOD ASKED MS. YOUNIS HOW LONG WOULD SHE NEED TO CLOSE AND MS. YOUNIS SAID THAT THEY WERE READY TO CLOSE NOW, BUT THE ORDINANCE WAS THE ONLY THING THAT IS HOLDING IT UP. CHAIRMAN HOOD ASKED IF THERE WAS A WAY TO GET THIS DONE QUICKLY. ATTORNEY JONES RECOMMENDED THAT THE 1ST READING OF THE ORDINANCE TO EXTEND THE CONTRACT BY TITLE ONLY TODAY AND HE WOULD HAVE THE ORDINANCE READY FOR 2ND READING AT THE 1ST MEETING IN JANUARY AND THEY COULD HAVE THE PUBLIC HEARING AND 3RD READING AT THE 2ND MEETING IN JANUARY. VICE CHAIRMAN JONES SAID THAT THEY ALREADY HAD A PUBLIC HEARING ON THE CONTRACT AND SHE WANTED TO KNOW IF THEY COULD EXTEND THE CONTRACT SO THAT THEY COULD CLOSE. ATTORNEY JONES SAID THAT THE CONTRACT WAS ADOPTED BY ORDINANCE SO THE EXTENSION MUST BE DONE BY ORDINANCE. VICE CHAIRMAN JONES DISCUSSED ISSUES IN THE CURRENT CONTRACT THAT NEEDED TO BE ADDRESSED AND MS. YOUNIS AND THE ATTORNEY WERE TO MAKE SURE THEY WERE COVERED IN THE ORDINANCE. MS. YOUNIS SAID THAT THE COMPANY HAS GOTTEN QUOTES AND THERE WAS NOTHING FOUND THAT WOULD KEEP THEM FROM MOVING FORWARD WITH THE PLANS. THE COUNCIL DISCUSSED SOME OF THE VARIATIONS IN THE CONTRACTS AND ATTORNEY JONES SAID THAT HE WILL MAKE THE ADJUSTMENTS THAT THE COUNCIL REQUESTS AND HE WILL HAVE IT READY FOR THE COUNCIL TO REVIEW AND FOR MS. YOUNIS AND HER ATTORNEY TO REVIEW. COUNCILMAN TUTEN SAID HE WANTED TO MAKE SURE THAT RIDGELAND BAPTIST CHURCH HAD A RIGHT OF WAY. ATTORNEY JONES SAID THAT WAS ALREADY TAKEN CARE OF AND IS INCLUDED ON THE SURVEY. MS. YOUNIS SAID THAT THEY PLAN TO START THE PERMITTING FOR THE SITE WORK IN FEBRUARY, 2008. CHRISTY PINCKNEY STATED THAT SHE WAS THE EXECUTIVE DIRECTOR OF THE AGAPE SENIOR IN JASPER COUNTY AND THAT SHE AND HER FAMILY LIVE IN JASPER COUNTY. MRS. PINCKNEY SAID THAT HER HUSBAND'S FAMILY MEMBERS ARE LIFELONG RESIDENTS OF JASPER COUNTY. MRS. PINCKNEY SAID WORKING WITH AGAPE HAS BEEN AN AMAZING EXPERIENCE FOR HER AND THAT SHE PREVIOUSLY WORKED IN BEAUFORT WITH A HOSPICE ORGANIZATION THAT SERVED JASPER COUNTY. MRS. PINCKNEY SAID THAT SINCE AGAPE HAS OPENED HERE IN JASPER COUNTY MORE CITIZENS ARE BEING SERVED AND SEVERAL OF HER EMPLOYEES ARE FROM JASPER COUNTY. CHAIRMAN HOOD SAID THAT THESE TYPE OF SERVICES ARE BADLY NEEDED IN JASPER COUNTY. COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO EXTEND THE SALES CONTRACT FOR THE FORMER LOW COUNTRY GENERAL HOSPITAL PROPERTY WITH THE RECOMMENDED CHANGES INCLUDED. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

REQUEST FROM JASPER COUNTY STATE HOUSE COMMITTEE:

MR. FULGHUM SAID THAT JASPER COUNTY STATE HOUSE DAY WAS TO PROMOTE THE COUNTY IN COLUMBIA AND THAT THE COUNTY WAS GOING TO HOST A LOWCOUNTRY BOIL FOR THE LEGISLATURE. MR. FULGHUM SAID THAT THE BUDGET FOR THE EVENT WAS \$10,000.00 AND THE COUNCIL WAS BEING ASKED TO APPROVE \$5,000.00 FOR THE EVENT IF THE COMMITTEE COULD RAISE THE OTHER \$5,000.00. CHAIRMAN HOOD ASKED IF THERE WAS GOING TO BE A CHARTERED BUS FOR THE CITIZENS FROM JASPER COUNTY. MR. FULGHUM SAID THAT THERE WOULD BE ONE CHARTERED BUS AND THERE WOULD NOT BE A CHARGE TO RIDE IT. COUNCILMAN TYLER SAID HE FELT THAT THERE NEEDED TO BE AN ACCOUNTING AS TO HOW THE FUNDS WERE SPENT. COUNCILMAN

TUTEN SAID THE CHAMBER OF COMMERCE WILL BE ACCOUNTING FOR ALL MONEY SPENT. COUNCILMAN TUTEN MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE A MATCH OF \$5,000.00, TO GET AN ACCOUNTING OF HOW THE FUNDS WERE SPENT, AND THAT THE FUNDS WOULD COME FROM THE LOCAL A-TAX FUNDS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN JONES SAID THAT SHE ATTENDED THE COUNCIL ON AGING MEETING AND THAT SHE RELAYED A MESSAGE FROM MAYOR CANNON TO THE COUNCIL ON AGING BOARD THAT HARDEEVILLE SAID THAT THEY WOULD GIVE THE COUNCIL ON AGING A 99 YEAR LEASE ON THE PROPERTY AND THEY WOULD DO A PAYBACK TO THE COUNCIL ON AGING ON THE FUNDS THEY USE TO CONSTRUCT THE NEW FACILITY IN HARDEEVILLE. VICE CHAIRMAN JONES SAID THAT MAYOR CANNON SAID THEY WOULD PAYBACK TO THE COUNCIL ON AGING \$150,000.00 THAT THE COUNCIL RECEIVED FROM THE COUNTY, \$350,000 IN GRANT FUNDING AND THE \$150,000.00 THEY WOULD GET FROM THE TRANSPORTATION COMMITTEE IF THE COUNCIL ON AGING WANTED TO MOVE FROM THAT LOCATION. ATTORNEY TEDDER IS TO PREPARE THE LEASE AND THE COUNCIL ON AGING ASKED THAT THE COUNTY ATTORNEY REVIEW IT TO SEE IF IT WAS OKAY FOR THE COUNCIL ON AGING TO SIGN. VICE CHAIRMAN JONES SAID THAT SHE DISCUSSED THIS WITH MR.FULGHUM AND MR. FULGHUM SAID HE DID NOT THINK THE COUNTY ATTORNEY SHOULD LOOK AT IT AND VICE CHAIRMAN JONES SAID THAT SINCE THE ATTORNEY IS A COUNTY EMPLOYEE, MR. FULGHUM CAN TELL HIM WHAT HE CAN DO. VICE CHAIRMAN JONES SAID THAT THE COUNTY HAS HELPED THE COUNCIL ON AGING IN MANY WAYS AND HAS PROVIDED THEM WITH A LOT OF HELP FINANCIALLY. MR. FULGHUM SAID HE DID NOT WANT TO BECOME INVOLVED WITH THE NEGOTIATIONS AND THAT ATTORNEY JONES CAN REVIEW THE DOCUMENT ONCE THE COUNCIL ON AGING AND THE CITY OF HARDEEVILLE AGREED UPON IT. MR. FULGHUM SAID HE DID NOT THINK THE COUNTY ATTORNEY SHOULD BE INVOLVED AND WHEN IT WAS COMPLETED AND HARDEEVILLE AGREES, HE WOULD HAVE THE ATTORNEY REVIEW IT. VICE CHAIRMAN JONES SAID THAT MAYOR CANNON SAID HE HAD NO PROBLEM WITH THE COUNTY ATTORNEY REVIEWING THE CONTRACT. MR. FULGHUM SAID HE WAS TOLD THAT HARDEEVILLE NEVER AGREED TO BUY THE FACILITY BACK. VICE CHAIRMAN JONES SAID THAT MAYOR CANNON AND COUNCILMAN WILLIS BOTH SAID THE CITY WOULD BUY THE BUILDING BACK. CHAIRMAN HOOD SAID TO HAVE THE COUNCIL ON AGING LOOK THE AGREEMENT OVER AND IF THEY APPROVE OF IT FOR THEM TO SEND IT TO MR. FULGHUM AND MR.FULGHUM SHOULD HAVE ATTORNEY JONES REVIEW IT AND LET THEM KNOW IF THEY SHOULD SIGN IT. COUNCILMAN TYLER SAID THAT IF THE COUNCIL ON AGING IS PAYING TO BUILD THE BUILDING HE DID NOT THINK IT SHOULD BELONG TO THE CITY OF HARDEEVILLE; COUNCIL ON AGING WILL OWN THE BUILDING CHAIRMAN HOOD SAID HE DID NOT UNDERSTAND WHY COMMUNICATION WAS HARD .

GLORIA LUCAS THANKED THE COUNCIL FOR AGREEING TO JUDGE THE EMPLOYEES ENTRIES IN THE DOOR AND YARD DECORATING CONTEST. MS. LUCAS PROVIDED THE COUNCIL WITH SCORE SHEETS AND THE CRITERIA TO USE FOR JUDGING. MS. LUCAS SAID THAT THE AWARD CERTIFICATES WOULD BE PRESENTED AT THE TREE LIGHTING.

ADJOURN:

COUNCILMAN BLACKSHEAR MOTIONED AND COUNCILMAN TUTEN SECONDED THE MOTION TO ADJOURN THE MEETING. THE MEETING ENDED AT 2:30 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN