



**JASPER COUNTY COUNCIL  
358 THIRD AVE., RIDGELAND SC. 29936**

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**COUNCIL CHAMBERS**

**FEB. 12, 2013, 5:00 P.M.**

**MINUTES**

**Officials Present:** Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Johnson, Councilman L. Martin Sauls, IV

**Officials Absent:** Councilman Theodus Drayton

**Staff Present:** Administrator Andrew Fulghum, Deputy Administrator Dr. George Hood, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Engineering Services Dale Terry, Planning Director LeNolon

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 Etheridge called the meeting to order at 5:09 p.m.

**Pledge of Allegiance –** Chairman Etheridge led the Pledge of Allegiance.

**Invocation –** Councilman Sauls gave the invocation.

**Approval of the Agenda –** Vice Chairwoman Clark motioned to approve and Councilman Sauls seconded the motion to approve the agenda.

**Andrew Fulghum- Update on Waste Flow Control Legislation-** Mr. Fulghum explained that when he and Chairman Etheridge and Vice Chairwoman Clark attended lobby day in Columbia they discussed the waste flow control legislation. Mr. Fulghum said that Jasper County's agreement for the landfill is \$10 per ton while Beaufort County pays \$42 per ton. Mr. Fulghum said that Russell Hightower will provide information in executive session regarding the County's contract with Waste Management. Mr. Hightower said he worked for Waste Management and the bill restricts and creates a monopoly and there is a need to keep open and fair competition. Councilman Johnson asked about when Waste Management opposed competition and that Waste Management did not have a history of being fair and competitive. Mr. Hightower said he disagreed and felt they were competitive and they challenged the other landfill because of

the way it was done. Councilman Johnson said he is in favor of competition and felt it was strange coming from Waste Management and Councilman Johnson asked if the Council was being asked to support the bill. Mr. Hightower said it passed the House and now it is in the Senate. Mr. Hightower said they would like Sen. Pinckney's support. Mr. Hightower said that when Waste Management is successful it is good for Jasper County. Mr. Hightower said if the bill does not pass there is a level of uncertainty and if the volume is impacted it could cause taxes to go up and he felt Sen. Pinckney played an important role. Councilman Johnson said the bill was irrelevant to what was being done now. Mr. Hightower said that Jasper County has a very low household tipping fee and the commercial companies choose the best provider. Mr. Hightower said the facility here is a regional facility. Councilman Sauls said the agreement benefits the County about \$500,000 per year and Waste Management has been a good steward in Jasper County. Councilman Sauls said that Jasper County entered the trash business a long time ago and it is part of Jasper County now. Councilman Sauls said the agreement benefits Jasper County and competition should be fair and good and Waste Management makes the effort so that it is done.

**Executive Session** - Councilman Sauls motioned and Councilman Johnson seconded the motion to go into executive session for the Discussion of Negotiations Incident to Proposed Contract Arrangements and Proposed Purchase or Sale 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 – Disposal Agreement Contract With Waste Management. The motion carried with all members present voting in favor.

**Return to Open Session** - Councilman Sauls motioned and Councilman Johnson seconded the motion to return to open session. The motion carried with all members present voting in favor.

**Action Resulting From Executive Session** – There was no action as a result of executive session.

**Discussion of Bills S.357 and S.358** - The Council discussed the bills sponsored by Senator Pinckney. One of the bills was to provide that the Register of Deeds be an elected position and the Senator would appoint someone to serve until the 2014 election. Chairman Etheridge explained that in many counties the Clerk of Court oversees the Register of Deeds office, but this was changed in Jasper County. Councilman Johnson asked why it was changed and said he felt it should go back to the way it was before and it could cause millions of dollars of problems if it is done wrong. Councilman Johnson said the title companies would stop dealing with the County. Vice Chairwoman Clark said she was concerned because the elected position would not require any education or qualifications and she felt there were enough elected officials that can do what they feel like and all the County does is pay their bills whether the service is

provided or not. Councilman Sauls agreed that the County does not need another elected official. Councilman Sauls said there needed to be accountability and knowledge for the department. Chairman Etheridge said there was no education required and there are not a lot on the state level that wants to get involved. Councilman Johnson asked Dr. Hood why it was changed. Dr. Hood said he was Chairman of Council at the time of the change. Dr. Hood said there was a mix up about getting the deposits made and \$200,000 plus was not reported in a timely manner. Dr. Hood said there was no wrong doing. Mr. Fulghum said a change was recommended and the County had to pay a fine and the fine was reduced if the County took over the ROD office. Vice Chairwoman Clark asked if the current staff would work for the Clerk of Court if the Council voted to change it. Councilman Johnson said that the Clerk of Court takes care of the ROD office in all but 2 counties in the state. Councilman Johnson said the Clerk of Court would hire her own staff and she does not answer to anyone. Mr. Fulghum said he would check the files to see what deal was made with the department of revenue.

Chairman Etheridge said the other bill would allow the school board to levy taxes for the schools and this would begin in 2013. Chairman Etheridge said the levy could not exceed 8 mils over the past year unless approved by the delegation. Chairman Etheridge said that if the bill passed, beginning in 2013 the County Council would not be authorized to levy taxes for the schools. Chairman Etheridge said the people needed to contact the delegation about this. Councilman Johnson said these bills are about taking power from the counties and adding power to the delegation. Councilman Sauls agreed and said he recognized the same theme. Councilman Sauls said the County Council is the governing body of the County and the budget. Councilman Sauls said that 66% of the County budget is for the schools and they need to be kept accountable. Councilman Sauls said the Council is committed to make it an efficient government and to trim the fat and they have only just begun and he did not want to relinquish any power and he wants to make the people answer to the public. Councilman Sauls said he is not in favor or relinquishing any power. Vice Chairwoman Clark said the school board has a \$28,000,000 budget and if it was going to the children she would not say a word, but there are too many high paying salaries. Vice Chairwoman Clark said that new salaries are on the website and the cost was \$433,000 for 8 teachers and 6 district office people including one middle school principal. Vice Chairwoman Clark said there were many items on the statement that she didn't understand and they needed to be accountable. Vice Chairwoman Clark said the new bill will only give them the right to tax people. Vice Chairwoman Clark said that over 500 pieces of property sold that people could not pay their taxes. Chairman Etheridge said that the people needed to make sure to contact the delegation about these two bills. Councilman Sauls said that Jasper County is changing faster than ever and no matter who or what you are, people are tired of the waste of tax dollars and it was evidenced in the last election and it will be seen next year, Councilman Sauls said the citizens want fiscal sound decision.

Adjourn – Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 6:30 p.m.

Respectfully Submitted By:

Approved by:

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Judith M. Frank, ccc  
Clerk to Council

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Henry Etheridge  
Chairman