



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

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**COUNCIL CHAMBERS**  
**FEBRUARY 19, 2013, 3:00 P.M.**  
**MINUTES**

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

**Staff Present:** Administrator Andrew Fulghum, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Engineering Services Dale Terry, Director of Emergency Services Wilbur Daley, Director of Parks and Recreations Johnny Davis, Director of Planning and Zoning LeNolon Edge, ROD Patty Green, Business License Coordinator Renty Kitty, Building and Planning Coordinator Lisa Lamb

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 3:00 p.m.

**Executive Session** – Councilman Sauls motioned and Vice Chairwoman Clark 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 –Possible Port Litigation – Settings At Mackay Point and for the for the 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; 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 – Judicial Offices – Detention Center. The motion carried with all members present voting in favor.

Councilman Johnson motioned and Vice Chairwoman Clark seconded the motion return to open session the motion carried with all members present voting in favor.

Action as a Result of Executive Session – No action was taken.

**Call to Order** - Chairman Etheridge called the meeting to order at 4:00 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 and Councilman Drayton seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

**Approval of the Minutes – 01/22/13** – Vice Chairwoman Clark motioned and Councilman Johnson seconded the motion to approve the minutes of the 1/22/13 Council meeting. The motion carried with all members present voting in favor.

**Proclamations and Presentations -Proclamation for Tico Corporation** – Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion to pass the proclamation for Tico Corporation. The motion carried with all members present voting in favor. Chairman Etheridge presented the proclamation to Mr. Booker and Mr. Booker presented the Council with a picture or their company. Mr. Booker introduces members of his staff and told the Council they currently have 80 employees. Mr. Booker thanked the Council. Chairman Etheridge thanked Mr. Booker and told him to call upon the County if needed.

#### **Ordinances**

**LeNolon Edge – 1<sup>st</sup> Reading Of The Ordinance For Zoning Map Amendments - From Rural Preservation To Industrial: Joseph Landowski,, dba JJF Properties, 067-00-01-066 Apac Southeast, Inc 067-00-01-018 Frank Guidobono, dba Palmetto Read-Mix Properties, 067-00-01-032** - Mr. Edge explained the zoning map amendment and said it applied to 3 separate parcels totally 25 acres to be rezoned from rural preservation to industrial. Mr. Edge said the Planning Commission recommended approval. Vice Chairwoman Clark motioned and Councilman Johnson seconded the motion that this be the 1<sup>st</sup> Reading Of The Ordinance For Zoning Map Amendments - From Rural Preservation To Industrial: Joseph Landowski,, dba JJF Properties, 067-00-01-066 Apac Southeast, Inc 067-00-01-018 Frank Guidobono, dba Palmetto Read-Mix Properties, 067-00-01-032. The motion carried with all members present voting in favor. Chairman Etheridge commented that the properties were already being used for industrial purposes.

**LeNolon Edge – 1<sup>st</sup> Reading of an Ordinance for a Zoning Text Amendment for Multi-Family Apartments** - Mr. Edge provided the Council with an updated ordinance that reflected a change to multi-family in three different sections. Mr. Edge said the purpose was that allowed multi-family, but it did not cover the density. Mr. Edge discussed the ordinance and pointed out the

changes. Councilman Sauls motioned and Councilman Drayton seconded the motion that this be the 1<sup>st</sup> Reading of an Ordinance for a Zoning Text Amendment for Multi-Family Apartments. Councilman Johnson asked for an explanation of permitted and conditional. Mr. Edge said that conditional is allowed with certain conditions and permitted is allowed. Councilman Johnson said that permitted is a matter of right and conditional is certain conditions have to be met. Councilman Johnson asked if the conditions apply to other multi-family zoning and Mr. Edge said the same issues are defined with duplexes. Vice Chairwoman Clark asked if this applied to dividing property to give land to family members. Mr. Edge said that was correct. Chairman Etheridge asked about water and sewer in Grahamville that didn't happen. Chairman Etheridge asked if it would be in writing. Mr. Edge said it would be verified when the review application is reviewed again. Councilman Johnson asked if you wanted to build 5 units would you need 5 acres and Mr. Edge said you would not if you were building townhomes. The motion carried with all members present voting in favor.

**Andrew Fulghum -1<sup>st</sup> Reading of an Ordinance for A FILOT Agreement with Biomass (By Title Only) and Andrew Fulghum – 1<sup>st</sup> Reading of an Ordinance for A Multi-County Park Agreement for Biomass (By Title Only)**

Mr. Fulghum said that in order to move the project forward he was asking the Council to have the 1<sup>st</sup> reading of these ordinances by title only and at the 2<sup>nd</sup> reading all documents would be presented. Mr. Fulghum said the FILOT would be a 20 year agreement and the MCPA would be split between the County, the town of Ridgeland and another County. Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion that this be the 1<sup>st</sup> Reading of an Ordinance for A FILOT Agreement with Biomass (By Title Only). The motion carried with all members present voting in favor. Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion that this be the 1<sup>st</sup> Reading of an Ordinance for A Multi-County Park Agreement for Biomass (By Title Only). The motion carried with all members present voting in favor.

**Resolution - Dale Terry – Resolution to Sell Surplus Equipment –** Mr. Malphrus presented the resolution to sell the 7 surplus pieces of equipment and vehicles. Mr. Malphrus said they would be sold on GOV.DEALS.com. Chairman Etheridge asked if the vehicles were wrecked. Mr. Malphrus said the 1996 Crown Vic was not wrecked, but it was very old. Vice Chairwoman Clark motioned and Councilman Drayton seconded the motion to pass the resolution to sell the surplus equipment. The motion carried with all members present voting in favor.

**Old Business –** There were no old business.

**New Business -Ronnie Malphrus – Data Purchase Agreement for ROD Office –** Mr. Malphrus provided the Council with a copy of the agreements that included the revisions requested. Chairman Etheridge asked if the company could sell this information. Mr. Malphrus said they cannot, but they can provide it to their clients. Mr. Malphrus said they were asking for all the information on a disk and then weekly updates. Mr. Malphrus said the information is available

on the website free to the public, but this company wanted it in another form. Mr. Malphrus said the information would cost \$750 for the first disk and \$50 per month for the updates. Mr. Malphrus said the updates would come from the software vendor and not done in house. Mr. Malphrus said the agreement is for 5 years, but either party can terminate it with 30 days' notice. Mr. Malphrus said the company was Red Vision Systems, Inc. which is a Delaware Corporation. Councilman Drayton motioned and Councilman Sauls seconded the motion to approve the Data Purchase agreement for the ROD Office with Red Vision Systems. Councilman Johnson asked can the County do this same thing for anyone who asks under the same terms. Attorney Jones responded that it is no work for the County and the only are getting \$50 per month. Councilman Johnson asked could anyone get this and Attorney Jones said he would recommend making it available. Mr. Malphrus said whoever asks for it can get it on the same terms. Councilman Johnson asked what they plan to do with it. Mr. Malphrus said they have members who access their website. Councilman Johnson asked what was the advantage of their website instead of the County website. Mr. Malphrus said none that he knew of, but they may charge a fee to the companies that use their website. Chairman Etheridge asked how far back do the records go and Mr. Malphrus said the records back to 1990 have been verified and they were in the process of verifying the older records. Chairman Etheridge asked what if the information is incorrect. Mr. Malphrus said the County was not guaranteeing any information. Vice Chairwoman Clark said if they cannot sell the information can she go to their website and have access to the information. Mr. Malphrus said that she may need to pay to access their website. Councilman Drayton asked if they purchased information from all the Counties. Mr. Malphrus said he did not know. Vice Chairwoman Clark asked if they contacted Mr. Malphrus and Mr. Malphrus said they contacted Ms. Greene. Chairman Etheridge said he could not understand why they wanted to purchase something they can get on line for free. The motion carried with Vice Chairwoman Clark, and Councilmen Drayton, Sauls and Johnson voting for; Chairman Etheridge voted against.

**Ronnie Malphrus – Stiney Road and Dawson’s Landing Parking Lot** – Mr. Malphrus explained that Mr. Terry wanted to go before the Transportation Committee and request funding to resurface Stiney Road and to resurface the Dawson Landing Parking Lot. Mr. Malphrus said that Mr. Terry was going to request \$200,000 for the two jobs. Councilman Johnson motioned and Vice Chairwoman Clark seconded the motion to approve Mr. Terry going to the Transportation Committee and for him to request \$200,000 for Stiney Road and the Dawson Landing Parking Lot. Vice Chairwoman Clark said she looked at Stiney Road and it is in very bad condition. She also discussed right of ways so that the ditch does not flood. Vice Chairwoman Clark asked that Mr. Terry get a list of property owners. Mr. Malphrus said the drainage is different, but he would pass the information on to Mr. Terry. Chairman Etheridge asked how many other County roads are paved. Mr. Malphrus said Volunteer Park Road and Stiney Road. The motion carried with all members present voting in favor.

**Committee Reports** **Councilman Johnson** said he wrote to Mr. Vaux and told him that the County looked forward to working with him. Mr. Vaux is the newest member of the Beaufort County Council. **Vice Chairwoman Clark** said she attended the School Board meeting and told them she is the liaison between the Council and the School Board. **Councilman Sauls** said he has been working on the inventory and doing an analysis with the fire chief to bring the ISO rating down. Councilman Sauls said if the ISO ratings are brought down it will benefit the entire County. **Chairman Etheridge** reported that the Council had a good retreat and they were going to have a workshop to set the goals and objectives. Chairman Etheridge said he attended an Economic Development Seminar, passed the test and learned a lot. Chairman Etheridge said this was the first in the series of four seminars that he will attend. Chairman Etheridge announced that the Council will be attending the SCAC conference of Feb. 20-21, 2013.

**Administrator's Report** – Mr. Fulghum said he attended the Aeronautics Conference, but they did not meet to discuss funding. Mr. Fulghum presented a schedule of how the airport is moving forward. Mr. Fulghum provided a copy of the letter to Ms. Bartoldus regarding her complaint about the Health Department and Duplication of Services. Ms. Edmunds discussed the services provided by the Health Department and Mr. Gardner discussed the services provided by BJHCH. Chairman Etheridge asked about the consolidation of the Health Department Services. Ms. Edmond said they were grouping the environmental health dept. and consolidating the offices and jobs will be assigned to whoever is available at the time.

**Open Floor To The Public –Per Ordinance 08-17 Any Citizen Of The County May Sign To Speak Before The Council Meeting On Matters Pertaining To County Services And Operations. Presentations Will Be Limited to Three (3) Minutes (Total Public Input Will Be Limited to 30 Minutes)** Chairman Etheridge opened the floor to the public. **Denise Davidson** discussed the matching funds for the new health dept. building. Ms. Davidson said the Council was told at the retreat that the County's match for the grant was \$50,000, but she received an email and was told the County's match is \$209,500. Ms. Davidson added that the expansion of the building does not cover furniture or future expenses. Ms. Davidson said there was some overlapping coverage and Mr. Gardner has clinics in several areas making them more accessible to the citizens. Ms. Davidson said that Ms. Bartoldus does have the information and a grievance was filed and the issues were not discussed with them and there are additional ways to provide the services without spending more money. **Barbara Bartoldus** said that the County has so many buildings that are not taken care of and the Mary Gordon Ellis Building needs to be looked at again. Ms. Bartoldus said she spoke with Mr. Young and he said that \$500,000 is not enough money to build the new health department building. Ms. Bartoldus said a grant is not free money and the administration needs to do their due diligence to make things better for the taxpayers. **Dr. George Hood** said he keeps reading incorrect information about his salary as Deputy County Administrator. Dr. Hood said his salary was \$76,125.10 and his benefits cost

\$27,310 and his take home pay was \$48,814. Dr. Hood said he hoped that incorrect information will stop going to the newspaper. Dr. Hood said that 19 positions were deleted and the County has hired approximately 50 people since he was hired as Deputy Administrator. Dr. Hood said that the people are asking who will carry out the projects he worked on and how will the grant money be spent. Dr. Hood said he wanted to assure the people that his salary was not 23% of the budget. Dr. Hood said he was concerned that the audit was read at the retreat and suggested that the new budget should start with the audit. Dr. Hood said everything has gone up, but his salary was low for a Deputy Administrator and he was willing to volunteer and he wanted to improve the image of Jasper County again. Being no further comments, Chairman Etheridge closed the floor to the public.

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

The meeting ended at 5:30 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