

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
COUNCIL CHAMBERS
MARCH 19, 2009
3:30 P.M.**

MINUTES

OFFICIALS PRESENT:

LERROY BLACKSHEAR, VICE CHAIRMAN
HENRY ETHERIDGE, COUNCILMAN
REV. SAMUEL GREGORY, COUNCILMAN
HUBERT TYLER, COUNCILMAN
DR. GEORGE M. HOOD, CHAIRMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADM. SERVICES
WENDY KELLY, DEP. ADM. DEV. SERVICES
JUDITH FRANK, CLERK TO COUNCIL
MARVIN JONES, ATTORNEY
HONEY JOHNSON, ASSISTANT TO ADMINISTRATOR

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 3:30 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE

INVOCATION:

COUNCILMAN GREGORY GAVE THE INVOCATION.

FARMERS' MARKET PROPERTY MANAGEMENT AGREEMENT:

MS. KELLY POINTED OUT THE CHANGES TO THE AGREEMENT AND INFORMED THE COUNCIL THAT THE RENTAL FEE WAS CHANGED TO \$250.00 FOR THE USE OF THE ENTIRE MARKET FOR FOUR HOURS AND \$25.00 PER HOUR AFTER THE INITIAL FOUR HOURS. MS. KELLY SAID THAT ALL

NON-PROFIT ORGANIZATIONS WILL NOT BE CHARGED A FEE TO USE THE FARMERS' MARKET; HOWEVER, THEY WILL HAVE TO PAY A REFUNDABLE SECURITY DEPOSIT. THE DEPOSIT WILL BE RETURNED IF THE MARKET IS CLEANED AND PROVIDING THERE ARE NO DAMAGES. MS. KELLY DISCUSSED THE USE OF ALCOHOL AND THAT THE CHAMBER WOULD BE IN CHARGE OF MAKING THE DECISION IF IT CAN BE SERVED, PROVIDING THE COUNCIL WANTED TO MAKE THAT CHANGE. KENDALL MALPHRUS, JASPER COUNTY CHAMBER OF COMMERCE DIRECTOR, TOLD THE COUNCIL THAT THE CHAMBER WOULD BE DOING ALL THE WORK WITH RESPECTS TO RENTING THE MARKET FOR EVENTS. MS. KENDALL EXPLAINED THAT THE \$70,000.00 THAT THE CHAMBER WILL BE RECEIVING FROM THE COUNTY IS TO BE USED FOR MARKETING ONLY AND THE FEES COLLECTED WILL BE USED TO HAVE A PERSON SEE THAT THIS IS DONE PROPERLY. COUNCILMAN GREGORY ASKED IF THE COUNCIL APPROVED THE USE OF ALCOHOL. CHAIRMAN HOOD SAID NO ALCOHOL IS TO BE USED IN ANY COUNTY BUILDING AND THAT IT WOULD HAVE TO BE APPROVED ON A CASE BY CASE BASIS AND THE COUNCIL WOULD HAVE TO VOTE TO APPROVE IT. MS. MALPHRUS EXPLAINED THAT ACCORDING THE NEW AGREEMENT, THE CHAMBER OF COMMERCE WOULD MAKE THAT DECISION. MS. MALPHRUS EXPLAINED THAT THE CHAMBER WOULD BE RESPONSIBLE FOR THE HOUSEKEEPING OF THE MARKET, BUT THE COUNTY WOULD BE RESPONSIBLE FOR ANY REPAIRS. MS. MALPHRUS CONTINUED THAT THE TOWN OF RIDGELAND PROVIDES THE WATER AND THEY ALSO DO THE OUTSIDE MAINTENANCE OF THE PLANTS AND MOWS THE GRASS.

MS. MALPHRUS SAID THE ELECTRIC BILL RANGES FROM \$111.00 TO \$190.00 PER MONTH AND THE COUNTY IS RESPONSIBLE FOR THE ELECTRIC BILL. VICE CHAIRMAN BLACKSHEAR ASKED IF NON-PROFIT CHURCHES WERE EXEMPT AND WHAT ABOUT IF THEY WANTED TO USE THE FACILITY FOR A WEEK TO HOLD SERVICES. MS. MALPHRUS SAID THAT THEY WOULD NEED TO MAKE RESERVATIONS AND PAY THE SECURITY DEPOSIT. VICE CHAIRMAN BLACKSHEAR SAID HE FELT SOME TYPE OF WORDING SHOULD BE INCLUDED IN THE CONTRACT FOR SITUATIONS LIKE A REVIVAL. MS. MALPHRUS SAID THAT THEY WOULD BE ADDRESSED INDIVIDUALLY. CHAIRMAN HOOD SAID HE FELT IT WOULD BE HARD TO RENT THE FACILITY FOR AN ENTIRE WEEK BECAUSE OF THE DAYS IT IS USED BY THE FARMERS.

COUNCILMAN GREGORY ASKED WHY THE FEE WAS CHANGED FROM \$10.00 TO \$25.00 FOR THE EXTRA HOURS. MS. MALPHRUS RESPONDED THAT THE HOURLY RATE WAS INCREASED BECAUSE THE RENTAL FEE WAS REDUCED TO \$250.00 FOR FOUR HOURS.

COUNCILMAN GREGORY COMMENTED THAT MOST CHURCHES KNOW THERE WOULD BE A FEE TO USE A FACILITY. MARVIN JONES SUGGESTED THAT THERE BE A LIMITED NUMBER OF TIMES PER YEAR THAT A NON-PROFIT CAN USE THE FACILITY WITHOUT PAYING A FEE. COUNCILMAN ETHERIDGE ASKED IF A CHAMBER MEMBER WOULD BE PRESENT AT THE

EVENTS. MS. MALPHRUS RESPONDED THAT THE MEMBERS WOULD ONLY BE PRESENT FOR CHAMBER EVENTS. COUNCILMAN ETHERIDGE ASKED ABOUT RENTING TO YOUNG PEOPLE AND MS. MALPHRUS STATED THAT THE FARMERS' MARKET WILL NOT BE RENTED TO YOUNG PEOPLE.

COUNCILMAN GREGORY ASKED ABOUT INSURANCE AND MS. MALPHRUS SAID ALL EVENTS WOULD BE REQUIRED TO HAVE EVENT INSURANCE AND THAT ANY AGENCY CAN WRITE AN EVENT POLICY. MS. MALPHRUS SAID THAT IF ALCOHOL IS SERVED, THE INSURANCE COST IS HIGHER.

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE FARMERS' MARKET PROPERTY MANAGEMENT AGREEMENT BETWEEN JASPER COUNTY AND THE JASPER COUNTY CHAMBER OF COMMERCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

SINGLE MEMBER DISTRICTS:

ATTORNEY JONES PRESENTED THE COUNCIL WITH THE PROCESS BY WHICH THE COUNTY MIGHT CHANGE THE METHOD FOR THE ELECTION OF COUNCIL MEMBERS. MR. JONES SAID THE CURRENT METHOD WAS ESTABLISHED IN 1968. MR. JONES EXPLAINED THAT UNDER THE CURRENT METHOD THERE ARE FIVE MEMBERS ELECTED AT LARGE AND THEY EACH SERVE A TERM OF FOUR YEARS AND IN 1970 IT WAS PROVIDED THAT THERE WOULD BE A LEAST ONE MEMBER OF COUNCIL WHO IS A RESIDENT OF EACH OF THE FOUR TOWNSHIPS AND ONE MEMBER WOULD BE AT LARGE. ATTORNEY JONES DISCUSSED THE METHODOLOGY FOR CHANGING THE METHODS OF ELECTION OF COUNTY OFFICIALS APPROVED BY THE GENERAL ASSEMBLY AS PART OF HOME RULE. ATTORNEY JONES TOLD THE COUNCIL THAT THIS PROCESS WOULD TAKE ABOUT 1-2 YEARS TO COMPLETE. ATTORNEY JONES SAID THAT IN ORDER TO GO TO SINGLE MEMBER DISTRICTS, A REFERENDUM WITH FREE CLEARANCE FROM THE JUSTICE DEPARTMENT WAS NEEDED. MR. JONES SAID THE DISTRICTS WOULD BE REQUIRED TO MEET PROPER RESIDENT AND RACIAL LIMITS.

COUNCILMAN GREGORY DISCUSSED CHANGING FROM A FIVE MEMBER COUNCIL TO A SEVEN MEMBER COUNCIL AND THAT A SPECIAL ELECTION NOT BE HELD FOR THE REFERENDUM, BUT JUST TO HAVE THE REFERENDUM DURING THE GENERAL ELECTION. COUNCILMAN GREGORY COMMENTED THAT THE SCHOOL BOARD IS ALREADY ELECTED FROM SINGLE MEMBER DISTRICTS.

COUNCILMAN TYLER ASKED IF THE SAME LINES WOULD BE USED AS THE SCHOOL BOARD USES. COUNCILMAN GREGORY RESPONDED THAT THE SCHOOL BOARD HAS NINE MEMBERS AND THOSE DISTRICTS WERE DRAWN ABOUT TEN YEARS AGO. ATTORNEY JONES SAID THAT IF PUSHED FORWARD TOO QUICKLY, THE COUNTY MAY HAVE TO BE REAPORTIONED IN 2010 AND 2012.

VICE CHAIRMAN BLACKSHEAR SAID THE COUNCIL NEEDS TO CONSIDER THE GROWTH IN THE COUNTY AND THE NUMBER OF PEOPLE WOULD

DETERMINE HOW MANY DISTRICTS WERE NEEDED. ATTORNEY JONES SAID THE POPULATION WOULD BE DIVIDED BY THE NUMBER OF DISTRICTS IN THE COUNTY. VICE CHAIRMAN BLACKSHEAR ASKED IF THERE WAS A LAW REGARDING THE NUMBER OF PEOPLE IN A DISTRICT AND ATTORNEY JONES RESPONDED THAT IT DID NOT, ONLY THAT IT REFLECTS THE PROPER PERCENTAGE OF THE POPULATION AND THE RULES REGARDING RACIAL LIMITATIONS.

MR. FULGHUM SAID THAT REAPORTIONING THE COUNTY HAS TO BE DONE EVERY 10 YEARS WHEN THERE IS A NEW CENSUS.

ATTORNEY JONES RECOMMENDED THAT THE COUNCIL BE LOOKING TO MAKING A CHANGE IN 2012.

COUNCILMAN GREGORY MOTIONED TO HAVE ATTORNEY JONES PROCEED WITH HIS RECOMMENDATION AND PERSUE SINGLE MEMBER DISTRICTS.

VICE CHAIRMAN BLACKSHEAR EXPRESSED THAT HE FELT DUE TO THE QUESTIONS, THE COUNCIL NEEDED CLARIFICATION.

COUNCILMAN GREGORY WITHDREW HIS MOTION.

ATTORNEY JONES SAID HE WOULD DRAW UP AN ORDINANCE REGARDING THE REFERENDUM.

COUNCILMAN ETHERIDGE SAID HE THOUGHT 2012 SHOULD BE THE TARGET DATE.

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THE ATTORNEY PREPARE AN ORDINANCE TO CALL FOR A REFERENDUM TO CHANGE THE METHOD OF ELECTION FOR COUNTY COUNCIL AND THAT THE COUNTY COUNCIL CONSIST OF SEVEN MEMBERS REPRESENTING SINGLE MEMBER DISTRICTS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THE REFENDUM BE VOTED UPON AT A GENERAL ELECTION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

USE OF MIDDLE SCHOOL FOR RECREATIONAL PURPOSES:

COUNCILMAN GREGORY SAID THAT HE HAS RECEIVED REQUESTS FROM THE CITIZENS REGARDING USING SOME OF THE VACANT SCHOOLS FOR RECREATIONAL PURPOSES. COUNCILMAN GREGORY CONTINUED THAT THIS WOULD BE AN INDOOR RECREATIONAL FACILITY AND IT WOULD HELP KEEP THE YOUNG PEOPLE OUT OF TROUBLE, AND IT WOULD ALSO KEEP THE BUILDINGS FROM DETERIORATING. COUNCILMAN GREGORY TOLD THE COUNCIL THAT PERMISSION WOULD BE NEEDED FROM THE SCHOOL BOARD TO MOVE FORWARD. COUNCILMAN GREGORY ASKED THAT THE SCHOOL BOARD BE CONTACTED. COUNCILMAN ETHERIDGE ASKED IF HE MEANT THE WHOLE SCHOOL AND COUNCILMAN GREGORY SAID HE MEANT THE ENTIRE MIDDLE SCHOOL. COUNCILMAN TYLER ASKED IF THIS WOULD BE DONE IN HARDEEVILLE AND RIDGELAND. COUNCILMAN GREGORY SAID HE WAS ONLY SUGGESTING RIDGELAND MIDDLE SCHOOL AT THIS TIME. COUNCILMAN TYLER SAID THAT SINCE

THERE ARE THE SAME TYPES OF FACILITIES IN BOTH AREAS HE FELT IT SHOULD BE CONSIDERED FOR BOTH AREAS. COUNCILMAN GREGORY AGREED, HOWEVER, HE FELT THAT ONE PROJECT SHOULD BE WORKED ON AT A TIME. VICE CHAIRMAN BLACKSHEAR ASKED WHERE THE FUNDING WOULD COME FROM AND COUNCILMAN GREGORY ASKED THAT THE COUNCIL FIND THE MONEY AND HAVE THE STAFF START LOOKING FOR GRANTS. COUNCILMAN GREGORY SAID THE CITIZENS CAN HELP WITH THE REPAIRS AND THE LABOR. COUNCILMAN GREGORY SAID HE FELT THERE SHOULD BE A PUBLIC MEETING REGARDING THIS, BUT FIRST THE SCHOOL BOARD WOULD ALLOW THE BUILDING TO BE USED.

VICE CHAIRMAN BLACKSHEAR SAID THAT HARDEEVILLE ALREADY HAD A GOOD RECREATIONAL PROGRAM AND FEELS THAT EVERYONE SHOULD JOIN FORCES TO SEE HOW THEY CAN MAKE IT A GOOD PROJECT AND THE CITIES SHOULD HELP.

COUNCILMAN GREGORY SAID THE SCHOOLS WILL BE DESTROYED JUST SITTING THERE AND THE COUNTY NEEDED TO THINK BEYOND OUTSIDE RECREATION. VICE CHAIRMAN BLACKSHEAR SAID THAT HE FELT THEY SHOULD JOIN FORCES WITH HARDEEVILLE FOR ACTIVITIES THERE AND PERHAPS THEY CAN SELL ONE OF THE SCHOOLS IN HARDEEVILLE.

CHAIRMAN HOOD ASKED THE RECREATION DIRECTOR TO WORK WITH COUNCILMAN GREGORY AND TO COME UP WITH A PROPOSAL FOR THE SCHOOLS INCLUDING A PLAN FOR FINANCING AND STAFFING THE FACILITY. CHAIRMAN HOOD SAID THAT MONEY IS VERY TIGHT RIGHT NOW, BUT HE FELT THAT IT WAS A GOOD IDEA AND AN EXCELLENT OPPORTUNITY.

MR. SEABROOK, REPRESENTING THE SCHOOLS, SAID THAT HE FELT THIS WAS A TREMENDOUS OPPORTUNITY AND PERHAPS THERE WAS STIMULUS MONEY FOR THIS TYPE OF ACTIVITY AND THINGS NEEDED TO BE TIED TOGETHER TO MAKE IT WORK. MR. SEABROOK SAID THE HARDEEVILLE FACILITY WAS AN OLD FACILITY, BUT IT ALSO NEEDED TO BE TAKEN INTO CONSIDERATION. MR. SEABROOK FELT THAT THE NEEDS WOULD BE BETTER MET BY WORKING IN COLLABORATION WITH THE PEOPLE REPRESENTING ALL ASPECTS OF THE COMMUNITY. COUNCILMAN ETHERIDGE SAID PEOPLE FROM ALL PARTS OF THE COUNTY NEED TO BE REPRESENTED.

MR. FULGHUM SUGGESTED THAT THE STAFF COME UP WITH A STRUCTURE AS TO HOW THIS CAN WORK AND HE ASKED THE COUNCIL TO PROVIDE HIM WITH A LIST OF WHO THEY WANTED INVOLVED IN THE PROJECT AND HE WOULD BRING A RECOMMENDATION BACK TO COUNCIL. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO HAVE THE ADMINISTRATOR WORK ON A STRUCTURE FOR THIS PROJECT AND TO BRING HIS RECOMMENDATIONS BACK TO COUNCIL. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN BLACKSHEAR PRESENTED MR. FULGHUM WITH A CARD FROM THE COUNCIL FOR HIS BIRTHDAY AND CONGRATULATED HIM ON HIS RECENT MARRIAGE.

ADJOURN:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN THE SPECIAL CALLED MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 4:30 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN