



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

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COUNCIL CHAMBERS  
MARCH 5, 2012, 4:00 P.M.  
MINUTES

**OFFICIALS PRESENT:** CHAIRMAN SAMUEL GREGORY, VICE CHAIRMAN MARTIN SAULS IV, COUNCILMAN HENRY ETHERIDGE, COUNCILMAN THEODUS L. DRAYTON

**OFFICIALS ABSENT:** COUNCILMAN LEROY BLACKSHEAR

**STAFF PRESENT:** ADMINISTRATOR ANDREW FULGHUM, DEP. ADM. GEORGE HOOD, DIRECTOR OF ADMINISTRATIVE SERVICES RONNIE MALPHRUS, DIRECTOR OF EMERGENCY SERVICES WILBUR DALEY, ATTORNEY MARVIN JONES, CLERK TO COUNCIL JUDITH FRANK, CHIEF BUILDING INSPECTOR HERMAN SMITH, IT DIRECTOR EARL BOSTICK, JR., BUILDING AND PLANNING COORDINATOR LISA LAMB, ROD PATSYE GREEN, BUSINESS LICENSE DIRECTOR RENTY KITTY, HR DIRECTOR GLORIA LUCAS, PARKS AND RECREATION DIRECTOR JOHNNY DAVIS, DETENTION CENTER DIRECTOR ARTHUR BENJAMIN

**STAFF ABSENT:** DELINQUENT TAX COLLECTOR RHONDA MITCHELL, ASSESSOR SUSAN WAITE, DIRECTOR OF ENGINEERING SERVICES DALE TERRY

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 GREGORY CALLED THE MEETING TO ORDER AT 4:00 P.M.

**PLEDGE OF ALLEGIANCE** - CHAIRMAN GREGORY LED THE PLEDGE OF ALLEGIANCE.

**INVOCATION** – COUNCILMAN DRAYTON GAVE THE INVOCATION.

**APPROVAL OF THE AGENDA** – VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE AGENDA. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PROCLAMATIONS AND PRESENTATION - KENT FLETCHER – INDEPENDENCE FUND** – MR. FLETCHER EXPLAINED THAT THE INDEPENDENCE FUND HAS SIGNED AN AGREEMENT TO TAKE OVER PROPERTY AT PALM KEY. MR. FLETCHER SAID THEY WOULD BE ESTABLISHING A WELLNESS CENTER, 39 COTTAGES AND A GARDEN FOR WOUNDED TROOPS TO USE. MR. FLETCHER REVIEWED THE VARIOUS ACTIVITIES BEING PLANNED AND ASKED THE COUNTY TO PARTNER WITH THEM. MR. CHISHOLM SAID THE HE IS WORKING WITH THIS PROGRAM AND ASKED JASPER COUNTY TO HELP WITH THIS WORTHWHILE EFFORT.

## ORDINANCES

**MARVIN JONES – PUBLIC HEARING AND 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, TO ADD OTHER SCHOOLS AND INSTRUCTION AS A CONDITIONAL USE IN THE RESIDENTIAL ZONING DISTRICT AND AS A PERMITTED USE IN THE COMMUNITY COMMERCIAL AND GENERAL COMMERCIAL ZONING DISTRICTS; TO AMEND ARTICLE 6:1, TABLE 1; AND TO ADD CONDITIONS TO ARTICLE 11:7 AS 11.7.19A.** – MR. JONES EXPLAINED THAT THERE HAVE BEEN NO CHANGES SINCE THE LAST READING. MR. JONES SAID THIS ORDINANCE ALLOWS FOR ADDITIONAL USES AND CONDITIONAL USES REGARDING SCHOOLS AND TUTORING. MR. JONES SAID THE STAFF WILL CONSIDER APPLICATIONS AND THE ORDINANCE WILL PROVIDE THE GUIDELINES FOR THE STAFF TO FOLLOW WHEN CONSIDERING THE APPLICATIONS. CHAIRMAN GREGORY OPENED THE PUBLIC HEARING. NO COMMENT. CHAIRMAN GREGORY CLOSED THE PUBLIC HEARING. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3<sup>RD</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, TO ADD OTHER SCHOOLS AND INSTRUCTION AS A CONDITIONAL USE IN THE RESIDENTIAL ZONING DISTRICT AND AS A PERMITTED USE IN THE COMMUNITY COMMERCIAL AND GENERAL COMMERCIAL ZONING DISTRICTS; TO AMEND ARTICLE 6:1, TABLE 1; AND TO ADD CONDITIONS TO ARTICLE 11:7 AS 11.7.19A. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**MARVIN JONES- 2<sup>ND</sup> READING OF THE ORDINANCE TO ADOPT THE GENERAL RECORDS RETENTION SCHEDULE FOR COUNTY RECORDS (2002) AND TO ADOPT SECTION 2-6 OF THE CODE OF ORDINANCES OF JASPER COUNTY** – MR. JONES SAID BY ADOPTING THIS ORDINANCE IT WOULD MAKE THE GENERAL RECORDS RETENTION SCHEDULE FOR COUNTY RECORDS (2002) AND TO ADOPT SECTION 2-6 OF THE CODE OF ORDINANCES OF JASPER COUNTY IT WOULD MAKE THE USE OF THE SCHEDULE POLICY FOR JASPER COUNTY. COUNCILMAN DRAYTON MOTIONED AND VICE CHAIRMAN SAULS SECONDED THE MOTION THAT THIS BE THE 2<sup>ND</sup> READING OF THE ORDINANCE TO ADOPT THE GENERAL RECORDS RETENTION SCHEDULE FOR COUNTY RECORDS (2002) AND TO ADOPT SECTION 2-6 OF THE CODE OF ORDINANCES OF JASPER COUNTY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**ANDREW FULGHUM – 1<sup>ST</sup> READING OF THE ORDINANCE TO EXTEND THE FRAMPTON PROPERTY DEVELOPMENT AGREEMENT (BY TITLE ONLY)** – MR. FULGHUM EXPLAINED THAT THE DEVELOPMENT AGREEMENT WAS APPROVED IN 2007 AND EXPIRES IN 2012. MR. FULGHUM SAID IT WOULD BE IN THE BEST INTEREST OF THE COUNTY TO CONSIDER EXTENDING THE DEVELOPMENT AGREEMENT FOR FIVE YEARS. COUNCILMAN ETHERIDGE SAID HE WANTED TO SEE THE AGREEMENT PRIOR TO THE NEXT READING. COUNCILMAN DRAYTON SAID THE FIVE YEARS HAVE LAPSED AND NOW THEY WANT ANOTHER FIVE YEARS AND NOTHING WAS DONE IN FIVE YEARS. MR. FULGHUM SAID THE DEVELOPER HAS THE FLEXIBILITY TO DEVELOP AND IT WOULD BE BETTER FOR THE COUNTY TO EXTEND THE DEVELOPMENT AGREEMENT. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE TO EXTEND THE FRAMPTON PROPERTY DEVELOPMENT AGREEMENT (BY TITLE ONLY). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

## RESOLUTIONS

**DALE TERRY – RESOLUTION TO APPROVE SALE OF SURPLUS PROPERTY** - MR. TERRY WAS NOT PRESENT AND MR. FULGHUM PRESENTED THE RESOLUTION TO SELL THE SURPLUS PROPERTY. MR. FULGHUM ASKED THAT AN ADDITION VEHICLE, A 2004 JEEP CHEROKEE SPORT BE ADDED TO THE LIST. COUNCILMAN DRAYTON ASKED IF THIS WAS THE ONLY SURPLUS THE COUNTY HAD AND MR. FULGHUM SAID YES AND THE PROPERTY WOULD BE AUCTIONED. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO PASS THE RESOLUTION TO APPROVE THE SALE OF THE SURPLUS PROPERTY AND TO ADD THE 2004 JEEP CHEROKEE SPORT TO THE LIST. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

## OLD BUSINESS - NONE

**NEW BUSINESS - APPOINTMENT OF MEMBERS TO THE AERONAUTICS BOARD, ASSESSMENT APPEALS BOARD, BOARD OF ZONING APPEALS AND THE PLANNING COMMISSION** – VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION TO REAPPOINT THE MEMBERS OF THE PLANNING COMMISSION (KIM THOMAS, ALEX PINCKNEY, DR. EARL BOSTICK), THE MEMBERS OF THE ASSESSMENT APPEALS BOARD (L.G. SMITH, MARIE RAWL, WILLIAM TUTEN AND LEROY MERVIN), THE BOARD OF ZONING APPEALS MEMBERS ( BEN MILLS, LAWRENCE BOWERS, BARBARA BARTOLDUS) AND THE MEMBERS OF THE AERONAUTICS COMMISSION ( EUGENE CLELAND, CHARLES PINCKNEY). ALL REAPPOINTED MEMBERS WILL SERVE A FOUR YEAR TERM ENDING IN 2016. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**COMMITTEE REPORTS - CHAIRMAN GREGORY – ASSIGNMENT OF COUNCIL STANDING COMMITTEES-** CHAIRMAN GREGORY MADE THE FOLLOWING APPOINTMENTS TO THE COUNCIL STANDING COMMITTEES:

ADMINISTRATIVE SERVICES COMMITTEE - REV. SAMUEL GREGORY, CHAIRMAN AND THEODUS DRAYTON  
ENGINEERING SERVICES COMMITTEE - LEROY BLACKSHEAR, CHAIRMAN AND REV. SAMUEL GREGORY  
EMERGENCY SERVICE COMMITTEE - HENRY ETHERIDGE, CHAIRMAN AND L. MARTIN SAUL, IV.  
DEVELOPMENT SERVICES - L. MARTIN SAULS, IV., CHAIRMAN AND LEROY BLACKSHEAR  
INTERGOVERNMENTAL RELATIONS - THEODUS L. DRAYTON, CHAIRMAN AND HENRY ETHERIDGE  
FINANCE COMMITTEE- SAMUEL GREGORY, L. MARTIN SAULS IV, HENRY ETHERIDGE, LEROY BLACKSHEAR AND THEODUS L. DRAYTON.

VICE CHAIRMAN SAULS REPORTED THAT THE RESOURCE FOUNDATION WAS HAVING A FAMILY FUN DAY AT THE FARMERS MARKET ON MARCH 10, 2012 AND HE ENCOURAGES THE PUBLIC TO ATTEND. VICE CHAIRMAN SAULS ANNOUNCED THAT THE ANNUAL POW-WOW WOULD BE HELD AT MILLSTONE LANDING FROM MARCH 9-11, 2012. VICE CHAIRMAN SAULS INFORMED THE PUBLIC THAT SENATOR PINCKNEY WOULD BE HAVING A PUBLIC FORUM AND THAT BUSINESS AFTER HOURS WOULD BE HELD AT ALL PRINT. VICE CHAIRMAN SAULS ANNOUNCED THE JASPER COUNTY STATE HOUSE DAY IS ON MARCH 28, 2012 IN COLUMBIA AND IT IS A GREAT OPPORTUNITY FOR THE COUNTY TO DISCUSS THE PENDING ISSUES. VICE CHAIRMAN SAULS INVITED THE PUBLIC TO JUDGMENT HOUSE BEING HELD BY RIDGELAND BAPTIST CHURCH AND TO THE DEMOCRATIC PARTY MEETING AT WAGON BRANCH COMMUNITY CENTER. VICE CHAIRMAN SAULS TOLD THE PUBLIC THAT *BE GREEN* IS NOW MAKING THE

PACKAGING FOR THE GILLETTE FUSION 5 RAZORS SOLD ALL OVER THE WORLD. COUNCILMAN ETHERIDGE ASKED FOR A PROGRESS REPORT FOR *BE GREEN* AND *DANIEL DEFENSE*. MR. FULGHUM SAID SOME PEOPLE HAVE BEEN HIRED AND HE WOULD NEED TO SPEAK WITH THE COMPANIES DIRECTLY BEFORE HE COULD GIVE AN UPDATE.

**ADMINISTRATOR'S REPORT-** MR. FULGHUM SAID HE PROVIDED A PROGRESS REPORT FOR INFORMATION AND HE ASKED THE COUNCIL TO APPROVE A CHANGE ORDER FOR THE WATER AND SEWER WORK AT CYPRESS RIDGE BUSINESS INDUSTRIAL PARK. MR. FULGHUM SAID THE CHANGE ORDER WAS FOR A WATER VALVE (\$2,100) THAT WAS NOT INCLUDED IN THE ORIGINAL PROPOSAL. MR. FULGHUM SAID THE TOWN OF RIDGELAND IS REQUESTING THE VALVE BE INSTALLED. VICE CHAIRMAN SAULS ASKED IF THE CHANGE ORDER WAS NECESSARY TO COMPLETE THE JOB AND MR. FULGHUM SAID IT WAS. COUNCILMAN DRAYTON SAID THAT HE THOUGHT EVERYTHING WAS GOING ALONG FINE, BUT SINCE THE PLANNING DIRECTOR LEFT, NOTHING HAS BEEN DONE. MR. FULGHUM SAID ANOTHER CRBIP REVIEW BOARD MEETING WAS NEEDED AND HE WOULD REVIEW THE INFORMATION IN EXECUTIVE SESSION. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION TO APPROVE THE CHANGE ORDER IN THE AMOUNT OF \$2,100 FOR A VALVE. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**OPEN FLOOR TO THE PUBLIC –PER ORDINANCE 08-17- ANY CITIZEN OF THE COUNTY MAY SIGN UP 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 GREGORY OPENED THE FLOOR TO THE PUBLIC. THERE WERE NO COMMENTS. CHAIRMAN GREGORY CLOSED THE FLOOR TO THE PUBLIC.

CHAIRMAN GREGORY THANKED THE DEPARTMENT HEAD FOR ATTENDING THE MEETINGS AND HE ASKED THAT THEY STAY UNTIL THE COUNCIL GOES INTO EXECUTIVE SESSION.

**EXECUTIVE SESSION - DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY, THE 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 THE CLAIM - AUDITING SERVICES –** VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY, THE 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 THE CLAIM - AUDITING SERVICES. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO OPEN SESSION – VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO OPEN SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE TO CONVEY 1.7 ACRES AT CYPRESS RIDGE BUSINESS INDUSTRIAL PARK TO SCDOT (BY TITLE ONLY). THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN ETHERIDGE ASKED WHAT DETERMINES THE STATUARY LIMITS OF THE LOCAL GOVERNMENT FUNDS AND MR. MALPHRUS SAID THAT SCAC SEND THEM OUT AND IT LISTS HOW MUCH EACH COUNTY GETS. COUNCILMAN ETHERIDGE ASKED ABOUT THE NEW LIFE CENTER AND IF THE COUNTY WAS OBLIGATED TO PROVIDE OFFICE SPACE. MR. MALPHRUS SAID HE WAS NOT SURE IF THE COUNTY WAS REQUIRED TO PROVIDE OFFICE SPACE. MR. MALPHRUS SAID THEY GET THE FUNDS FROM THE MINI BOTTLE SALES WHICH AMOUNTS TO ABOUT \$40,000 PER YEAR. MR. MALPHRUS SAID HE DID NOT THINK THE COUNTY WAS OBLIGATED TO PROVIDE OFFICE SPACE. MR. FULGHUM SAID THEY WOULD RESEARCH THE MATTER. MR. FULGHUM SAID THE NEW LIFE CENTER WAS LOCATED IN THE OLD HEALTH DEPARTMENT BUILDING AND THEY WERE BEING TEMPORARILY RELOCATED TO THE MARY GORDON ELLIS BUILDING. CHAIRMAN GREGORY SAID HE WANTED THE COUNCIL TO KNOW BEFORE WHEN AND WHERE SOMEONE IS GOING TO BE MOVED. MR. FULGHUM SAID THEY WERE TRYING TO BRING SOME OF THE HEALTH DEPT. SERVICES BACK TO THE COUNTY. COUNCILMAN ETHERIDGE SAID THEY MAY NEED A LAB AREA AND IT MAY NOT BE POSSIBLE. MR. FULGHUM SAID CHANGES MAY NEED TO BE MADE. CHAIRMAN GREGORY SAID MORE CHANGES WOULD BE NEED WHEN THEY MOVE OUT AND CHANGES COST MONEY.

ADJOURN – VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 6:00 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

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JUDITH M. FRANK, ccc  
CLERK TO COUNCIL

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REV. SAMUEL GREGORY  
CHAIRMAN

