



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
BUDGET WORKSHOP AND MEETING
APRIL 28, 2010
3:00 P.M.**

MINUTES

OFFICIALS PRESENT:

GEORGE HOOD, CHAIRMAN
LEROY BLACKSHEAR, VICE CHAIRMAN
HENRY ETHERIDGE, COUNCILMAN
REV. SAMUEL GREGORY, COUNCILMAN
HUBERT TYLER, COUNCILMAN

STAFF PRESENT:

ANDREW FULGHUM, ADMINISTRATOR
RONNIE MALPHRUS, DEP. ADM. ADMINISTRATIVE SERVICES
JUDITH FRANK, CLERK TO COUNCIL
MARVIN JONES, ATTORNEY

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 BUDGET WORKSHOP/MEETING TO ORDER AT 3:00 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION:

COUNCILMAN ETHERIDGE OFFERED THE INVOCATION.

EXCUTIVE SESSION

3:00 -3:30 AUDITOR - HAZEL HOLMES

DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMPEN-SATION, 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:

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMPEN-SATION, 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. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO OPEN SESSION:

COUNCILMAN TYLER MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THERE WAS NO ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION.

DISCUSSION:

COUNCILMAN ETHERIDGE ASKED ABOUT THE FEE IN LIEU COLLECTIONS AND MR. MALPHRUS SAID THEY WERE RIGHT ON TARGET, BUT MAY BE A LITTLE UNDER IN SUPPLIMENTAL FUNDS IN MAY.

COUNCILMAN ETHERIDGE ASKED ABOUT THE COLLECTIONS FROM EMS. MR. MALPHRUS SAID THAT \$750,000.00 WAS BUDGETED AND CURRENTLY THE COLLECTIONS ARE ABOUT \$400,000.00, AND THEY MAY BE SHORT.

COUNCILMAN ETHERIDGE ASKED ABOUT PROPERTY TAX. MR. MALPHRUS SAID THEY HAVE COLLECTED ABOUT \$11,000,000.00.

TREASURER VERNA GARVIN:

MS. GARVIN PRESENTED THE COUNCIL WITH A COPY OF HER BUDGET REQUEST. COUNCILMAN GREGORY ASKED IF SHE WAS ASKING FOR ANYTHING ADDITIONAL. MS. GARVIN EXPLAINED THAT IF THE COUNCIL WOULD APPROVE A PART-TIME PERSON, THE CONTRACT LABOR CAN BE LEFT AT \$5,100.00. HOWEVER, IF THE PART-TIME PERSON IS NOT APPROVED SHE IS REQUESTING AN INCREASE OF \$12,000.00 FOR HER CONTRACT LABOR. COUNCILMAN ETHERIDGE ASKED IF SHE WAS REQUESTING A \$21,000.00 INCREASE. MS. GARVIN SAID IT WOULD BE AN INCREASE OF \$15,000.00 BECAUSE IF THE PART-TIME PERSON IS HIRED, SHE CAN REDUCE THE CONTRACT LABOR AMOUNT. MS. GARVIN SAID SHE COULD USE THE PART-TIME PERSON DURING TAX TIME. COUNCILMAN ETHERIDGE ASKED IF THAT MEANT THE INCREASE TO HAVE A PERSON IN HARDEEVILLE PART-TIME WOULD BE \$15,000.00. MS. GARVIN RESPONDED THAT WAS CORRECT.

RIDGELAND LITTLE LEAGUE JAGUAR FOOTBALL - JOLIE ORR, JR.:

ANTHONY CANNICK AND JOLIE ORR, JR. EXPLAINED THAT THE TIGER LITTLE LEAGUE FOOTBALL TEAM HAS BEEN BANNED AND SUSPENDED FOR ONE AND POSSIBLY TWO YEARS. MR. CANNICK SAID THAT HE WAS FORMING A NEW TEAM CALLED THE JAGUARS SO THAT THE CHILDREN DO NOT MISS TWO YEARS OF FOOTBALL DUE TO THE TIGER'S INFRACTION. MR. CANNICK REQUESTED \$4,346.63

FOR UNIFORMS FOR THE NEW TEAM. MR. CANNICK SAID THE TEAM IS OPEN TO THE PUBLIC AND IT IS NOT ASSOCIATED WITH ANY SCHOOL. MR. ORR EXPLAINED THAT THIS TEAM IS NOT JUST ABOUT FOOTBALL, BUT THEY PLAN TO BE MENTORS FOR THE PLAYERS. COUNCILMAN GREGORY ASKED HOW THEY WOULD DEAL WITH KIDS THAT ARE FAILING. MR. CANNICK SAID THEY WILL STAY ON TOP OF THE PLAYERS PROGRESS AND ATTENDENCE, IN SCHOOL. MR. CANNICK SAID THE KIDS NEED SOMEONE THEY KNOW, CAN COUNT ON, AND CALL WHEN NEEDED. MR. ORR SAID EACH MENTOR WILL BE ASSIGNED 2-3 KIDS AND THEY WILL WORK WITH THEM YEAR ROUND. MR. CANNICK PROVIDED THE COUNCIL WITH AN INVOICE FOR THE UNIFORMS AND SAID THEY WOULD BE GREATFUL FOR WHATEVER THE COUNCIL APPROVES. JAQUINE LAWRENCE SAID THAT THEY ARE REDEVELOPING THE TEAM AND THEY WERE IN THE PROCESS OF GETTING THE PARENTS INVOLVED. COUNCILMAN ETHERIDGE ASKED IF THE TIGERS WERE GOING TO TRY AND STAY IN THE LEAGUE. MR. CANNICK SAID THE TIGERS CHAIRMAN STATED THAT IF THEY COULD NOT PLAY IN THE LEAGUE, THEY WOULD LOOK FOR SOMEWHERE ELSE TO PLAY. CHAIRMAN HOOD SAID THAT THE COUNCIL WOULD DO THE BEST THAT THEY COULD.

PUBLIC DEFENDER'S OFFICE – GENE HOOD

MR. GENE HOOD WAS NOT PRESENT AND HE WAS RESCHEDULED TO THE BUDGET WORKSHOP ON MAY 5, 2010 AT 3:45 P.M.

APPROVAL OF LETTER REGARDING LEVY FIRE DISTRICT SERVICE:

CHAIRMAN HOOD ASKED THE COUNCIL MEMBER IF THEY HAD ANY QUESTIONS REGARDING THE LETTER TO LEVY FIRE DEPARTMENT. CHAIRMAN HOOD SAID HE FELT IT WAS IMPORTANT THAT IT WAS CLEAR THAT THE NEW STATION WAS A SUB-STATION OF THE LEVY STATION. MR. JONES SAID HE WAS NOT OF THE UNDERSTANDING THAT IT WAS TO BE A SUB-STATION. VICE CHAIRMAN BLACKSHEAR SAID THAT WHEN THEY NEGOTIATED THE LEVY CONTRACT, BARBARA CLARK SAID THEY WERE GOING TO BUILD A FIRE STATION IN BELLINGER HILL AND THEY WANTED A FIVE YEAR CONTRACT AND FOR THE COUNCIL TO LEAVE THEM ALONE. VICE CHAIRMAN BLACKSHEAR SAID THAT THERE WAS SOME QUESTIONS REGARDING A TRUCK BEING PLACED IN THE BELLINGER HILL STATION. VICE CHAIRMAN BLACKSHEAR SAID AN ATTORNEY TOLD MR. GRAHAM THAT THEY CAN'T MOVE THE TRUCK IF THEY CALLED IT THE BELLINGER HILL FIRE STATION AND THEY NEEDED TO CALL IT A SUB-STATION OF THE LEVY FIRE DEPARTMENT. COUNCILMAN GREGORY SAID THAT WHEN THEY WERE NEGOTIATING THE FIRE CONRACT, HE DID NOT REMEMBER ANYTHING ABOUT A SUB-STATION BEING BUILT. COUNCILMAN GREGORY SAID HE DID NOT KNOW HOW A PERSON COULD BUILD A FIRE STATION AND SHOVE IT IN THE COUNCIL'S FACE. COUNCILMAN GREGORY SAID THE COUNCIL SHOULD HAVE BEEN INFORMED PRIOR TO THE GROUND BREAKING. COUNCILMAN GREGORY SAID HE DID NOT REMEMBER THE COUNCIL EVER APPROVING BUILDING A FIRE STATION OR A SUB-STATION. COUNCILMAN GREGORY SAID THEY SHOULD NOT ALLOW SOMEONE TO BUILD A STATION AND THEN EXPECT THE COUNTY TO FUND IT. COUNCILMAN ETHERIDGE ASKED IF MR. DALEY KNEW THE SUB-STATION WAS BEING BUILT. MR. FULGHUM SAID THAT MR. DALEY KNEW WHEN THEY NEGOTIATED THE FIRE CONTRACT, BUT MR. DALEY NEVER MENTIONED IT TO HIM. COUNCILMAN ETHERIDGE SAID THAT MR. DALEY SHOULD HAVE BROUGHT IT TO THE COUNCIL SINCE HE IS OVER ALL THE STATIONS. MR. FULGHUM SAID THAT THE LEVY FIRE STATION IS CONTRACTED TO PROVIDE SERVICE IN THAT AREA AND THEY WILL BE GIVEN A LUMP SUM TO COVER THE DISTRICT. COUNCILMAN ETHERIDGE SAID THE ISO RATINGS WOULD IMPROVE AND MR. GRAHAM HAS NOT REQUESTED ADDITIONAL

FUNDS, HE JUST WANTED TO MOVE A TRUCK TO THE SUB-STATION. COUNCILMAN ETHERIDGE SAID THE COUNTY PAYS \$280,000.00 TO PROVIDE FIRE PROTECTION TO THAT AREA. COUNCILMAN ETHERIDGE SAID THAT MR. GRAHAM WILL HAVE TO HAVE LIABILITY COVERAGE. COUNCILMAN GREGORY ASKED IF MR. DALEY TOLD THEM ABOUT BUILDING THE STATION. MR. FULGHUM SAID MR. DALEY DID NOT TELL HIM, BUT VICE CHAIRMAN BLACKSHEAR TALKED ABOUT IT DURING THE TIME THEY WERE NEGOTIATING A CONTRACT WITH MR. GRAHAM. VICE CHAIRMAN BLACKSHEAR SAID THAT IF THE COUNTY HAD BUILT THE STATION IN LEVY, THE COUNTY COULD HAVE PULLED THE TRUCKS FROM LEVY AND PUT THEM IN THE COUNTY'S STATION. VICE CHAIRMAN BLACKSHEAR SAID THAT MR. GRAHAM WILL HAVE A FIRE TRUCK IN THE SUB-STATION ON SATURDAY. MR. JONES SAID THAT THERE WAS NOTHING IN THE CONTRACT THAT REQUIRES MR. GRAHAM TO KEEP THE EQUIPMENT IN ANY PARTICULAR FACILITY. MR. JONES SAID HE FELT THAT THE EMS DIRECTOR SHOULD APPROVE THE MOVES AND THE LETTER HE PREPARED STATES THAT NO EQUIPMENT IS TO BE MOVED UNTIL MR. GRAHAM PROVIDES PROOF OF INSURANCE. CHAIRMAN HOOD SAID HE WANTED IT TO BE CLEAR THAT THE STATION IN BELLINGER HILL IS NOT THE BELLINGER HILL FIRE STATION, BUT THE STATION IN BELLINGER HILL IS A SUB-STATION OF LEVY FIRE. COUNCILMAN GREGORY SAID THAT MR. DALEY IS OVER ALL THE FIRE STATIONS INCLUDING MR. GRAHAM'S STATION AND MR. DALEY NEVER SAID A WORD TO COUNCIL. COUNCILMAN GREGORY SAID THAT WHATEVER CONVERSATIONS TOOK PLACE WERE BETWEEN MR. GRAHAM AND MR. DALEY. MR. FULGHUM ASKED IF MR. DALEY SHOULD HAVE TOLD HIM HE CAN'T BUILD. VICE CHAIRMAN BLACKSHEAR SAID THE LEVY STATION IS OWNED BY THE VOLUNTEERS. MR. FULGHUM SAID THAT MR. DALEY MANAGES THE PERSONNEL. MR. FULGHUM SAID MR. DALEY TOLD MR. GRAHAM NOT TO MOVE ANY EQUIPMENT, BUT HE THOUGHT IT WAS OKAY TO BUILD THE STATION. MR. FULGHUM SAID THAT IT WOULD BE THE SAME IF RIDGELAND WANTED TO MOVE EQUIPMENT. MR. MALPHRUS POINTED OUT THAT THE FIRE TRUCK IS INSURED NO MATTER WHERE IT IS LOCATED. MR. MALPHRUS SAID THAT MR. GRAHAM INSURES THE BUILDING. MR. FULGHUM SAID THAT THIS IS A POLICY DECISION FOR COUNCIL TO MAKE. COUNCILMAN ETHERIDGE SAID THAT WILBUR DALEY KNEW THE STATION WAS BEING BUILT FROM THE BEGINNING AND MR. FULGHUM WAS NOT SURPRISED THAT IT WAS BUILT. MR. JONES SAID THAT THIS STATION MIGHT BE USED TO TRY AND GET ADDITIONAL FUNDS. COUNCILMAN ETHERIDGE SAID THAT THEY WERE NOT ASKING FOR ADDITIONAL FUNDS, BUT HE KNOWS THAT DAY WILL COME. COUNCILMAN ETHERIDGE QUESTIONED THE STATEMENT IN THE LETTER REGARDING THE POSSIBILITY THAT THE CONTRACT MAY NOT BE FULLY FUNDED. COUNCILMAN ETHERIDGE SAID THAT THEY NEED TO GIVE ONE YEARS NOTICE TO CHANGE THE CONTRACT AND AN AMENDMENT NEEDED TO BE ADDED TO THE CONTRAT THAT THE COUNTY CANNOT GUARANTEE THAT THE CONTRACT WOULD BE INSULATED FROM ECONOMIC REALITIES. MR. JONES SAID THAT THE CONTRACT DID NOT NEED TO BE AMENDED. MR. FULGHUM SAID THAT YOU CANNOT SAY IN A LETTER THAT YOU MAY NOT PAY THE AMOUNT LISTED IN THE CONTRACT. COUNCILMAN GREGORY SAID THE PROFESSIONAL WAY TO HAVE DONE IT WOULD HAVE BEEN TO NOTIFY THE COUNCIL ABOUT THE SUB-STATION BEFORE IT WAS BUILT. COUNCILMAN GREGORY SAID THERE ARE GOING TO BE CUTS ALL OVER. COUNCILMAN ETHERIDGE SAID MR. GRAHAM WAS NOT REQUESTED ANY ADDITIONAL FUNDS. COUNCILMAN GREGORY SAID MOVING THE TRUCK WILL CAUSE MORE WEAR AND TEAR TO THE EQUIPMENT. COUNCILMAN GREGORY SAID THAT HE FELT OUT OF RESPECT FOR THE COUNCIL, MR. GRAHAM SHOULD HAVE TOLD THEM PRIOR TO BREAKING GROUND. CHAIRMAN HOOD SAID THAT THERE IS NOTHING THE COUNCIL HAS TO DO AND THE LETTER SHOULD REFLECT THAT THE STATION IS A LEVY SUB-STATION AND THE COUNTY IS NOT

TAKING ON ANY LIABILITY REGARDING THE LEVY SUB-STATION. COUNCILMAN GREGORY SAID IF THERE IS NOTHING THE COUNCIL CAN DO, WHY SEND THE LETTER. MR. JONES SAID THAT THE COUNTY FUNDS LEVY FIRE DISTRICT FROM YEAR TO YEAR THROUGH AN APPROPRIATION TO EMS AND FOR THE FISCAL YEAR 2009-2010 THE AMOUNT WAS \$280,000.00. MR. JONES SAID THAT THE FUNDING SITUATION MAY CHANGE AND HE FELT THE LANGUAGE IN THE LETTER IS OKAY. COUNCILMAN GREGORY ASKED IF THE FUNDING CAN BE CUT THIS BUDGET YEAR. CHAIRMAN HOOD SAID THAT THEY CAN ONLY RAISE TAXES SO MUCH DUE TO THE CAP AND PEOPLE MAY HAVE TO BE FORLOUGHED. CHAIRMAN HOOD SAID THAT THE COUNCIL NEEDS TO MAKE SURE THAT THE SUB-STATION HAS LIABILITY INSURANCE. COUNCILMAN ETHERIDGE SAID THAT GRAHAM'S INSURANCE COVERS THE PROPERTY AND THAT IF A MAN CAN KEEP PROVIDING THE SERVICES HE PROVIDES AND IF HE CAN PROVIDE BETTER SERVICE TO THE CITIZENS AT NO ADDITIONAL COST, COUNCILMAN ETHERIDGE SAID HE HAD NO PROBLEM WITH WHAT MR. GRAHAM DID. COUNCILMAN GREGORY SAID A STAFF MEMBER KNEW ABOUT IT AND HE BELIEVES MR. DALEY ALSO KNEW ABOUT IT FROM THE BEGINNING. MR. MALPHRUS ASKED ABOUT A BILL HE RECEIVED FROM BJWSA FOR THE SUB-STATION AND HOW TO HANDLE IT. VICE CHAIRMAN BLACKSHEAR INSTRUCTED MR. MALPHRUS TO SEND THE BILL BACK TO BJWSA AND NOTE THAT JASPER COUNTY DID NOT REQUEST ANY TAP-IN SERVICE AND TELL THEM TO SEND THE BILL TO WHOMEVER MADE THE REQUEST. COUNCILMAN ETHERIDGE SAID THAT MR. GRAHAM TOLD HIM THAT BJWSA DONATED THE TAP IN AND THAT MR. GRAHAM HAD NO PROBLEMS PAYING UTILITY BILLS. CHAIRMAN HOOD ASKED IF MR. GRAHAM HAS REQUESTED ANYTHING. MR. MALPHRUS SAID HE DID NOT. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO SEND THE BJWSA BILL BACK AND NOTE THAT JASPER COUNTY DID NOT ORDER ANY TAP IN SERVICE AND TO SEND THE BILL TO WHOMEVER ORDERED IT AND THAT JASPER COUNTY WILL NOT BE RESPONSIBLE FOR ANY WATER BILLS AT THE SUB-STATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. MR. JONES SAID THE ONE CHANGE TO THE LETTER WAS THAT IT STATE *TO SERVE LEVY FIRE DISTRICT.* COUNCILMAN GREGORY MOTIONED AND CHAIRMAN HOOD SECONDED THE MOTION TO APPROVE THE CORRECTED LETTER AND SEND IT TO THE LEVY FIRE DISTRICT AND ALSO TO ADD TO THE LETTER A REQUEST THAT A COPY OF THE LIABILITY INSURANCE COVERAGE ON THE BUILDINGS; AND TO COPY WILBUR DALEY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILMAN ETHERIDGE SAID THAT IT IS THE COUNCIL'S JOB TO WATCH OUT FOR THE SAFETY, HEALTH AND WELL BEING OF THE CITIZENS AND IF THE ISO RATINGS GO DOWN, THE CITIZENS ARE GOING TO THINK FAVORABLY OF THE COUNCIL. MR. FULGHUM SAID THAT LEVY PROVIDED EXCELLENT COVERAGE AND ORIGINALLY THEY WERE NOT PAID AND THEN THEY CAME TO GET PAID FOR WHAT THEY WERE DOING. MR. FULGHUM SAID THAT MR. GRAHAM WILL BE BACK AND REQUEST MORE FUNDS.

ADJOURN:

COUNCILMAN GREGORY 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 4:45 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN

