



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
358 THIRD AVE.
RIDGELAND, SC 29936
MAY 3, 2010
MINUTES
4:00 P.M.**

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
DAVID JIROUSEK, PLANNING DIRECTOR
WILBUR DALEY, DEP. ADM. ENGINEERING SERVICES
MARVIN JONES, ATTORNEY
JOHNNY DAVIS, RECREATION DIRECTOR

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 4:00 P.M.

PLEDGE OF ALLEGIANCE:

CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION:

VICE CHAIRMAN BLACKSHEAR OFFERED THE INVOCATION.

APPROVAL OF THE MINUTES:

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE MINUTES FROM THE APRIL 19, 2010 COUNCIL MEETING AND THE APRIL 14, 2010 BUDGET WORKSHOP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATIONS:

GINA SCOTT – RED DAY PROCLAMATION

MS. SCOTT WAS DELAYED AND THE PRESENTION WAS MADE LATER IN THE MEETING.

CHERIE BRONSKY– BEAUFORT/JASPER ACTIVE ADULT CHALLENGE:

MS. BRONSKY INVITED THE COUNCIL AND THE CITIZENS OF JASPER COUNTY TO TAKE PART IN THE ACTIVE ADULT CHALLENGE. MS. BRONSKY SAID THIS IS THE FIRST YEAR FOR JASPER COUNTY TO BE INVOLVED, BUT SHE HAS BEEN ORGANIZING THE CHALLENGES FOR 14 YEARS. MS. BRONSKY SAID THERE ARE ALL TYPES OF CHALLENGES FROM BRIDGE AND CHECKERS TO KAYAKING AND FRISBEE GOLF. JOHNNY DAVIS, J.C. RECREATION DIRECTOR WILL BE WORKING WITH MR. BRONSKY AND SOME EVENTS WILL BE HELD AT THE SGT. JASPER PARK. MS. BRONSKY SAID ANYONE OVER THE AGE OF 50 IS ELIGIBLE TO COMPETE. MS. BRONSKY ASKED THE COUNCIL TO HELP GET THE WORD OUT AND GET THE PEOPLE OF JASPER COUNTY INVOLVED.

PUBLIC HEARINGS AND ORDINANCES:

DAVID JIROUSEK – PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A 650’ DEEP PORTION OF THAT PROPERTY CONSISTING OF APPROXIMATELY 93.2 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 030-00-10-029 AND GENERALLY LOCATED AT THE CORNER OF SC 46 AND SC 170 FROM RURAL PRESERVATION TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP:

MR. JIROUSEK SAID THAT THE ZONING CHANGE WAS REQUESTED BY THE OWNER OF THE PROPERTY, STELLA JEFFERS. MR. JIROUSEK SAID THE PLANNING COMMISSION AND STAFF RECOMMEND APPROVAL. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARINGS. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A 650’ DEEP PORTION OF THAT PROPERTY CONSISTING OF APPROXIMATELY 93.2 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 030-00-10-029 AND GENERALLY LOCATED AT THE CORNER OF SC 46 AND SC 170 FROM RURAL PRESERVATION TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 3RD READING OF THE ORDINANCE TO REVISE REGULATIONS RELATING TO NONCONFORMING USES, STRUCTURES, LOTS, AND SITES; TO AMEND ARTICLE 9:3, AS AMENDED, OF THE JASPER COUNTY ZONING ORDINANCE:

MR. JIROUSEK DISCUSSED THE CHANGES TO THE ORDINANCE SINCE THE LAST READING. THE CHANGES DISCUSSED ARE ON PAGES THREE AND FOUR. MR. JIROUSEK SAID THE ORDINANCE WOULD ALLOW THE NON-CONFORMING USE IF IT MET THE REQUIRED CRITERIA. MR. JIROUSEK SAID THE DATE ON THE ORDINANCE WAS CHANGED FROM 2009 TO 2010. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 3RD READING OF THE ORDINANCE TO REVISE REGULATIONS RELATING TO NONCONFORMING USES, STRUCTURES, LOTS, AND SITES; TO AMEND ARTICLE 9:3, AS AMENDED, OF THE JASPER COUNTY ZONING ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 3RD READING OF THE ORDINANCE TO AMEND SECTION 20-102 OF THE JASPER COUNTY CODE OF ORDINANCES SO AS TO REQUIRE A MINIMUM OF TWENTY-FIVE ACRES OF HIGHLAND TO BE INCLUDED IN A DEVELOPMENT AGREEMENT AND TO CORRECT TYPOGRAPHICAL AND GRAMMATICAL ERRORS:

MR. JIROUSEK EXPLAINED THAT THIS ORDINANCE LOWERS THE MINIMUM REQUIREMENT OF HIGHLAND ACRES TO 25 ACRES AND MAKES IT THE SAME AS THE STATE. MR. JIROUSEK SAID THAT 25 ACRES OF LAND ARE NEEDED TO GO INTO A DEVELOPMENT AGREEMENT WITH THE COUNTY. COUNCILMAN GREGORY ASKED IF THIS WAS DEALING WITH A SPECIFIC AREA OR IS IT ACROSS THE COUNTY. MR. JIROUSEK SAID THAT IT CAN BE ANYWHERE IN THE COUNTY THAT HAS 25 ACRES OF HIGHLAND. MR. JIROUSEK SAID THE ORDINANCE GIVES THE COUNTY THE ABILITY TO NEGOTIATE DEVELOPMENT AGREEMENTS ON SMALLER PARCELS OF LAND. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 3RD READING OF THE ORDINANCE TO AMEND SECTION 20-102 OF THE JASPER COUNTY CODE OF ORDINANCES SO AS TO REQUIRE A MINIMUM OF TWENTY-FIVE ACRES OF HIGHLAND TO BE INCLUDED IN A DEVELOPMENT AGREEMENT AND TO CORRECT TYPOGRAPHICAL AND GRAMMATICAL ERRORS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO ADOPT A DEVELOPMENT AGREEMENT FOR THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT DISTRICT:

MR. JIROUSEK EXPLAINED THAT THERE WERE A FEW CHANGES TO THE FINAL AGREEMENT AND HE PROVIDED THE COUNCIL WITH A RED LINED COPY OF THE DEVELOPMENT AGREEMENT THAT NOTED THE CHANGES. THE RIGHT TO ASSIGN DEVELOPMENT INCLUDES THAT THE NEW OWNER WOULD HAVE THE SAME RIGHTS AND RESPONSIBILITIES AS THE ORIGINAL OWNER. THE FEES FOR MULTI- FAMILY UNITS WERE INCREASED \$50.00 AND THAT THE PLANNING COMMISSION WOULD HAVE SOME INPUT AS TO

WHERE PARKS ARE LOCATED IF THE RESIDENTIAL UNITS ARE BUILT. COUNCILMAN GREGORY SAID THERE WERE QUITE A FEW CHANGES AND A LOT OF CORRECTIONS. COUNCILMAN GREGORY SAID THE COUNCIL WAS NOT GIVEN TIME TO REVIEW THE CHANGES. CHAIRMAN HOOD SAID THERE WERE NO MAJOR CHANGES AND MR. JIROUSEK REVIEWED WHAT THE CHANGES WERE. MR. JIROUSEK SAID ONE OF THE CHANGES MAKES SURE THAT IF THE PROPERTY CHANGES HANDS, ONE PERSON WOULD BE RESPONSIBLE FOR THE MASTER PLAN. MR. JIROUSEK SAID THAT THEY CAN'T TRANSFER PROPERTY OWNERSHIP OF LESS THAN 25 ACRES WITHOUT SOMEONE BEING RESPONSIBLE FOR THE MASTER PLAN. COUNCILMAN ETHERIDGE ASKED IF THE FEES ARE DIFFERENT FOR EACH DEVELOPMENT AND CAN THEY BE CHANGED. MR. MAGLIONE RESPONDED THAT THE DEVELOPMENT FEES ARE THE SAME FOR ALL DEVELOPMENT AGREEMENTS AND THEY HAVE A 3% PER YEAR INCREASE BUILT IN TO STAY IN LINE WITH FUTURE COSTS. MR. MAGLIONE SAID THE DEVELOPER IS RESPONSIBLE FOR THE ROADS AND THE NUMBERS USED IN DETERMINING THE FEES WERE FROM THE CLEMSON STUDY THAT WAS DONE FOR JASPER COUNTY. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. MARY ELISE GABBARD ASKED IF THERE WERE ANY FEES FOR THE ANIMAL SHELTER AS IT IS A COUNTY SERVICE. MR. FULGHUM SAID THE ANIMAL SHELTER WAS NOT INCLUDED AND MR. JIROUSEK CAN ADDRESS THAT WITH THE PLANNING COMMISSION. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS IS THE PUBLIC HEARING AND 3RD READING OF THE ORDINANCE TO ADOPT A DEVELOPMENT AGREEMENT FOR THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT DISTRICT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK- PUBIC HEARING AND 3RD READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 081-00-01-010, 081-00-01-022, 081-00-01-011, 081-00-01-018, 081-00-01-019, 081-00-01-015, 081-00-01-13 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO PLANNED DEVELOPMENT DISTRICT AND TO ADOPT THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT CONCEPT PLAN DOCUMENT AND MAP:

MR. JIROUSEK EXPLAINED THAT THIS WOULD CHANGE THE OFFICIAL COUNTY ZONING MAP. MR. JIROUSEK SAID THAT THERE WERE A FEW AMENDMENTS SINCE THE 2ND READING THAT LISTED THE ALLOWED USES IN THE PARK. MR. JIROUSEK SAID THAT PREVIOUSLY IT ALLOWED MULTI-FAMILY UNITS, BUT IT CAPS THE SINGLE FAMILY UNITS TO FIVE. MR. JIROUSEK SAID THAT THERE ARE SEVERAL SINGLE FAMILY UNITS ON THE PROPERTY THAT WOULD HAVE TO BE MOVED WITHOUT THIS CHANGE. MR. JIROUSEK SAID THE STAFF AND THE PLANNING COMMISSION RECOMMEND THE PASSAGE OF THE ORDINANCE. COUNCILMAN GREGORY ASKED ABOUT THE 575 UNITS. MR. JIROUSEK SAID THAT WOULD BE THE MAXIMUM

RESIDENTIAL UNITS ALLOWED. COUNCILMAN GREGORY ASKED IF ONLY ONE HOME OR MOBILE HOME WAS ALLOWED PER LOT. CHAIRMAN HOOD SAID THIS IS NOT PART OF THE DEVELOPMENT AGREEMENT AND THIS IS A COMMERCE PARK. CHAIRMAN HOOD OPENED THE PUBLIC HEARING. THERE WERE NO COMMENTS. CHAIRMAN HOOD CLOSED THE PUBLIC HEARING. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE AMENDMENTS TO THE ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE PUBIC HEARING AND 3RD READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER PARCELS BEARING TAX MAP NUMBERS 081-00-01-010, 081-00-01-022, 081-00-01-011, 081-00-01-018, 081-00-01-019, 081-00-01-015, 081-00-01-13 DEPICTED ON THE JASPER COUNTY OFFICIAL ZONING MAP IN THE RURAL PRESERVATION ZONE TO PLANNED DEVELOPMENT DISTRICT AND TO ADOPT THE LOWCOUNTRY COMMERCE PARK PLANNED DEVELOPMENT CONCEPT PLAN DOCUMENT AND MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 1ST READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF APPROXIMATELY 10 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 067-00-02-003 AND GENERALLY LOCATED AT THE END OF SCHINGER AVENUE FROM THE RESIDENTIAL ZONE TO THE GENERAL COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP:

MR. JIROUSEK EXPLAINED THAT THE OWNER OF THE PROPERTY REQUESTED THE CHANGE IN ZONING FROM RESIDENTIAL TO GENERAL COMMERCIAL. MR. JIROUSEK SAID THE ADJECENT PROPERTY IS ZONED GENERAL COMMERCIAL AND THE PORTION LOCATED IN HARDEEVILLE IS ZONED PLANNED DEVELOPMENT. MR. JIROUSEK SAID THE SITE HAS TWO STRUCTURES ON THE PROPERTY. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER THAT PROPERTY CONSISTING OF APPROXIMATELY 10 ACRES BEARING JASPER COUNTY TAX MAP NUMBER 067-00-02-003 AND GENERALLY LOCATED AT THE END OF SCHINGER AVENUE FROM THE RESIDENTIAL ZONE TO THE GENERAL COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – 1ST READING OF THE ORDINANCE TO RENEW THE LEASE BETWEEN JASPER COUNTY AND THE JASPER ANIMAL RESCUE MISSION:

MR. FULGHUM SAID THAT JASPER COUNTY HAS HAD A LEASE IN PLACE WITH JARM THAT WAS A ONE YEAR LEASE. MR. FULGHUM SAID THAT CURRENTLY THERE IS NOT A LEASE AND THE NEW LEASE ADDRESSED IN

THIS ORDINANCE IS A THREE YEAR LEASE. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO RENEW THE LEASE BETWEEN JASPER COUNTY AND THE JASPER ANIMAL RESCUE MISSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – 1ST READING OF THE ORDINANCE REGARDING THE BADGETT PROPERTY EXCHANGE:

MR. FULGHUM SAID THAT THE ORDINANCE DEALS WITH A PROPERTY SWAP WITH THE BADGETTS SO THAT A SIDEWALK CAN BE INSTALLED ALONG THIRD STREET IN FRONT OF THE BADGETT LAW FIRM OFFICES. THE SIDEWALK IS PART OF THE GOVERNMENT COMPLEX. MR. FULGHUM SAID THE BADGETTS REQUESTED THE TRADE OF THE PROPERTY IN FRONT FOR THE SIDEWALK FOR THE PROPERTY IN THE BACK. MR. FULGHUM SAID THEY WOULD NEED THE EXTRA LAND IF THEY WANTED TO EXPAND. MR. FULGHUM SAID THE TRADE IS RESTRICTED SO THAT NO TREES CAN BE CUT DOWN BY EITHER PARTY WITH THE EXCEPTION ON ONE PINE TREE THAT MAY HAVE TO BE CUT. COUNCILMAN ETHERIDGE ASKED IF THE TRADE WAS FOR 8 FEET IN THE FRONT FOR 8 FEET IN THE BACK. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE REGARDING THE BADGETT PROPERTY EXCHANGE. THE MOTION CARRIED WITH ALL MAMBERS PRESENT VOTING IN FAVOR.

GINA SCOTT – RED DAY PROCLAMATION:

MS. SCOTT READ THE PROCLAMATION AND EXPLAINED THAT THE MEMBERS AND AGENTS OF KELLER WILLIAMS REAL ESTATE WOULD GO INTO VIRTUALLY EVERY COMMUNITY IN AMERICA TO VOLUNTEER AND TO PERFORM SERVICES FOR EACH COMMUNITY. MS. SCOTT SAID THEY WOULD BE DONATING THEIR TIME, MONEY AND ENERGY. MS. SCOTT EXPLAINED THAT 76,000 REAL ESTATE AGENTS WITH KELLER WILLIAMS REALTY WILL DONATE MORE THAN 150,000 HOURS OF COMMUNITY SERVICE IN ONE DAY. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE RED DAY PROCLAMATION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS:

THERE WERE NO RESOLUTIONS.

OLD BUSINESS:

APPOINTMENT OF ONE MEMBER TO THE NEW LIFE CENTER BOARD:

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPOINT ROSEMARY O'QUINN TO THE NEW LIFE CENTER BOARD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

APPOINTMENT OF ONE MEMBER TO THE LIBRARY BOARD:

TABLED UNTIL AFTER EXECUTIVE SESSION.

APPOINTMENT OF ONE MEMBER TO THE EMERGENCY SHELTER BOARD:

COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPOINT CHERYL COVINGTON TO THE EMERGENCY SHELTER BOARD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

APPOINTMENT OF TWO MEMBERS TO THE PLANNING COMMISSION:

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR TO APPOINT THOMAS JENKINS TO THE PLANNING COMMISSION. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR, COUNCILMAN TYLER AND COUNCILMAN GREGORY VOTING FOR. COUNCILMAN ETHERIDGE VOTED AGAINST. COUNCILMAN ETHERIDGE MOTIONED TO APPOINT DARRELL JOHNSON TO THE PLANNING COMMISSION. THERE WAS NO SECOND. THE MOTION DIED FOR LACK OF A SECOND. CHAIRMAN HOOD SAID HE FELT THE COUNCIL SHOULD STUDY THE QUALIFICATIONS OF THE APPLICANTS. VICE CHAIRMAN BLACKSHEAR SAID THE COUNCIL HAS DISCUSSED HAVING PROFESSIONALS ON THE PLANNING COMMISSION. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO TABLE THE APPOINTMENT OF THE SECOND PERSON TO THE PLANNING COMMISSION UNTIL AFTER EXECUTIVE SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

NEW BUSINESS

RONNIE MALPHRUS – PRESENTATION AND APPROVAL OF SMITH DATA CONTRACT:

MR. MALPHRUS PRESENTED THE CONTRACT IN THE AMOUNT OF \$151,817.88. MR. MALPHRUS TOLD THE COUNCIL THAT THERE WAS AN INCREASE OF \$29,000.00 FROM LAST YEAR'S CONTRACT. MR. MALPHRUS SAID THE INCREASE WAS FOR ADDITIONAL SOFTWARE AND MAILINGS. COUNCILMAN GREGORY ASKED IF THIS WAS FOR POSTING THE DELINQUENT TAX NOTICES. MR. MALPHRUS SAID IT WAS NOT AND THAT WAS COVERED UNDER ANOTHER CONTRACT. COUNCILMAN GREGORY TOLD THE ADMINSITRATOR HE WANTED TO DISCUSS THE PROPERTY POSTING CONTRACT PRIOR TO RENEWAL. CHAIRMAN HOOD ASKED ABOUT POSTAGE. MR. MALPHRUS SAID THERE IS ONE LINE IN THE BUDGET THAT COVERS ALL POSTAGE FOR ALL DEPARTMENTS. COUNCILMAN TYLER ASKED HOW WELL THE SYSTEM WAS WORKING. MR. MALPHRUS SAID THAT SMITH DATA'S CONTRACTS WORK VERY WELL WITH THE TAXES AND THEY KEEP UP ON THE LEGISLATIVE CHANGES. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO APPROVE THE SMITH DATA CONTRACT IN THE AMOUNT OF \$151,817.88. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RONNIE MALPHRUS - PRESENTATION AND APPROVAL OF BIDS FOR THE WAGON BRANCH COMMUNITY CENTER WALKING TRAIL:

MR. MALPHRUS PRESENTED THE BID FOR THE WAGON BRANCH COMMUNITY CENTER WALKING TRAIL AND SAID THAT THE BIDS WERE HIGHER THAN THE GRANT FUNDS. MR. MALPHRUS ASKED THE COUNCIL TO APPROVE THE LOW BID FROM JEFFER'S CONSTRUCTION WHICH WAS ABOUT \$5,000.00 HIGHER THAN THE GRANT, BUT FOR THE COUNCIL TO APPROVE THE LOW BIDDER, BUT THE COST WAS NOT TO EXCEED \$31,008.00 AND HE WOULD TRY TO NEGOTIATE WITH THE BIDDER. VICE CHAIRMAN BLACKSHEAR ASKED THE SIZE OF THE WALKING TRAIL AND MR. MALPHRUS SAID IT WAS 5 FEET WIDE AND 650 FEET LONG. MR. DAVIS SAID THE WALKING TRAIL WOULD GO AROUND THE PARK PROPERTY. VICE CHAIRMAN BLACKSHEAR ASKED THE AMOUNT OF THE GRANT. MR. DAVIS SAID THE GRANT WAS \$45,000.00 AND ABOUT \$11,000.00 OF THE GRANT HAS BEEN USED AT THE LEVY COMMUNITY CENTER. VICE CHAIRMAN BLACKSHEAR ASKED IF PUBLIC WORKS CAN INSTALL THE WALKING TRAIL. MR. MALPHRUS SAID PUBLIC WORKS DID NOT HAVE PAVING EQUIPMENT. VICE CHAIRMAN BLACKSHEAR ASKED IF THE WALKING TRAIL COULD BE CRUSH AND RUN. MR. DAVIS SAID THAT CRUSH AND RUN WOULD REQUIRE MORE MAINTENANCE AND ASPHALT WOULD LAST LONGER. COUNCILMAN GREGORY SAID HE FELT CONCRETE WOULD BE BETTER SINCE GRASS DOES NOT GROW THROUGH CONCRETE. MR. DAVIS SAID THE COMMUNITY WANTED IT TO BE THE SAME MATERIAL AS THE WALKING TRAIL AT BLUE HERON, BUT IT WAS TOO EXPENSIVE. MR. DAVIS SAID THE COMMUNITIES SECOND CHOICE WAS ASLPHALT. MR. DAVIS SAID IF ANY FUNDS REMAINED FROM THE GRANT AFTER THE WALKING TRAIL IS BUILT, HE WAS GOING TO USE THE BALANCE FOR PLAY GROUND EQUIPMENT AT THE LEVY COMMUNITY CENTER. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE BID FROM JEFFERS CONSTRUCTION FOR THE WALKING TRAIL AT THE WAGON BRANCH COMMUNITY CENTER AND THE BID WAS NOT TO EXCEED \$31,008.00. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS:

CHAIRMAN HOOD SAID HE MET WITH MR. FULGHUM, MR. JIROUSEK AND SCDOT CONCERNING THE TURNING LANE ON HIGHWAY 462. CHAIRMAN HOOD SAID THAT SCDOT IS GOING TO TRY TO PRESERVE AS MUCH AS POSSIBLE CONCERNING THE ENVIRONMENTAL ISSUES AND THAT THEY WILL HAVE A COMMUNITY MEETING. CHAIRMAN HOOD SAID SCDOT TOLD THEM THAT THEY CONTACTED THE AREA RESIDENTS BY MAIL. CHAIRMAN HOOD SAID THAT SCDOT TOLD HIM THAT A TRAFFIC LIGHT WILL NOT LOWER THE NUMBER OF ACCIDENTS. CHAIRMAN HOOD SAID THE NEW FORMAT FOR THE TURNING LANE WILL BE READY IN JUNE OR JULY. COUNCILMAN GREGORY ASKED WHY ONLY THE CHAIRMAN WAS INVITED TO THE MEETING AND NOT THE ENTIRE COUNCIL. CHAIRMAN HOOD SAID THAT SCDOT WANTED TO MEET TO GET A FEEL OF HOW THE PUBLIC FELT AND USUALLY THEY JUST MOVE FORWARD WITH THEIR PLANS. CHAIRMAN HOOD SAID THAT HE APPRECIATED THAT SCDOT MET WITH THEM. CHAIRMAN HOOD SAID MR. JIROUSEK PRESENTED SCDOT WITH A PETITION REGARDING THE TURNING LANE. COUNCILMAN GREGORY ASKED IF THEY WERE STILL

TALKING ABOUT REMOVING TREES. CHAIRMAN HOOD SAID THEY TOLD HIM THEY WERE GOING TO TRY AND PRESERVE THE NATURAL STATE. COUNCILMAN TYLER ASKED IF IT WAS GOING TO BE A 3 WAY OR 4 WAYS STOP. CHAIRMAN HOOD SAID THEY ARE REWORKING THEIR PLANS.

ADMINISTRATOR'S REPORT:

MR. FULGHUM REPORTED THAT HE MET WITH MR. WOODS AND THE STATE IS TRYING TO ELIMINATE DUPLICATIONS AND CHANGES WILL BE COMING WITH REGARDS TO THE WORKFORCE INVESTMENT COMMITTEE. MR. FULGHUM SAID IT WAS LIKELY THAT THEY WOULD SEE SOME ACTIVITY ON THE BOARD, AND THE COUNTY MAY GAIN ANOTHER MEMBER.

MR. FULGHUM PROVIDED THE COUNCIL WITH A COPY OF A LETTER FROM WATSON TATE SAVORY IDENTIFYING ITEMS INCLUDED IN CHANGE ORDER # 3. THE TOTAL AMOUNT OF THE CHANGES IS \$89,298.95 AND THERE WILL BE 42 ADDITIONAL DAYS TO COMPLETION. MR. FULGHUM SAID THESE ARE CHANGES IN THE CONSTRUCTION CONTRACT AND THEY ARE WELL WITHIN THE PROJECT BUDGET AS APPROVED BY THE COUNTY COUNCIL. MR. FULGHUM TOLD THE COUNCIL THAT NO COUNCIL ACTION IS NEEDED AS HE ALREADY APPROVED THE CHANGES. MR. FULGHUM TOLD THE COUNCIL THAT HE IS REQUIRED TO REVIEW THE CHANGES WITH THE COUNCIL.

OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER INDIVIDUAL):

CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

MS. BARBARA BARTOLDUS TOLD THE COUNCIL THAT ON THE WEBSITE OF JOHN TILTON HOMES, ONE OF THEIR EMPLOYEES, KIM THOMAS, LISTS THAT SHE IS CHAIRMAN OF THE JASPER COUNTY PLANNING COMMISSION. MS. BARTOLDUS SAID SHE THOUGHT IT WAS AN ADVERTISEMENT FOR TILTON HOMES. MS. BARTOLDUS SAID SHE FELT THAT IT WAS UNACCEPTABLE TO LINK TILTON HOMES AND THE PLANNING COMMISSION. MS. BARTOLDUS SAID SHE HEARD THAT THE STAFF ASKED MS. THOMAS TO STEP DOWN, AND ASKED WHY IS SHE STILL THERE. MS. BARTOLDUS SAID THAT TILTON HOMES ALSO USED DR. HOOD'S HOME IN AN ADVERTISEMENT AND NAMES HIM AS CHAIRMAN OF THE JASPER COUNTY COUNCIL. MS. BARTOLDUS SAID THE CHAIRMAN OF COUNTY COUNCIL SHOULD NOT BE INCLUDED IN THEIR ADVERTISEMENT.

PAMELA GODWIN AND KATHY LANGFORD TOLD THE COUNCIL THAT BETWEEN THEM THEY HAVE 56 YEARS OF EXPERIENCE DOING REAL ESTATE RESEARCH AND THEY UTILIZE AN NUMBER OF COUNTY OFFICES WITH THEIR WORK. MS. GODWIN SAID 15 MONTHS AGO THEY BROUGHT THEIR CONCERNS TO THE COUNTY ADMINISTRATOR REGARDING THE ROD OFFICE. MS. GODWIN SAID THERE HAS BEEN IMPROVEMENTS IN THE DAY TO DAY ACTIONS AND THAT BECAUSE OF THEIR COMPLAINTS, THE IMPROVEMENTS WERE MADE. MS. GODWIN SAID THEY HAVE HAD SEVERAL MEETINGS AND THEY HAVE PRESENTED HUNDREDS AND HUNDREDS OF ERRORS, AND IF THINGS ARE INDEXED IMPROPERLY THEY CANNOT BE FOUND. MS. GODWIN SAID MISTAKES ARE NOT GOOD FOR THEIR BUSINESS. MS. GODWIN SAID THE SOUTH CAROLINA RULING IS THAT IF SOMETHING IS IN THE

ROOM THEY SHOULD BE ABLE TO FIND IT. MS. GODWIN SAID THEY HAD A NUMBER OF MEETINGS WITH THE ADMINISTRATOR AND THEY MET WITH SOME OF THE COUNCIL MEMBERS. MS. GODWIN SAID THEY WERE TOLD BY COUNCIL THAT A TEAM FROM COLUMBIA WAS COMING AND THEY WERE TOLD THAT THEY WOULD BE INTERVIEWED. MS. GODWIN SAID THAT THEY FOUND 19 ERRORS LAST WEEK AND THAT WAS AFTER THE ROD VERIFIED THEM TWICE. MS. GODWIN STATED THAT THERE IS A PROBLEM IF THE COUNTY CANNOT ASSURE MORE ACCURATE RECORDS. MS. GODWIN SAID THEY WERE TOLD THE TEAM WOULD INTERVIEW ALL PARTIES AND THE ONLY ONE THE TEAM SPOKE TO WAS THE ROD. MS. GODWIN SAID THEY FELT THEY HAVE BEEN LIED TO AND NOT TOLD THE TRUTH. MS. GODWIN SAID THEY DID AN INFERIOR JOB WITH THE INVESTIGATION. MS. GODWIN SAID THEY WERE VERY ANGRY AND THEY WORK AS A TEAM AND TAKE RESPONSIBILITY TOGETHER. MS. GODWIN SAID THEY CALLED THE CHIEF JUSTICE AND THEY WERE TOLD THE NAME OF WOMAN FROM COURT ADMINISTRATION AND THEY WERE TOLD SHE NEVER INTENDED TO INTERVIEW ANYONE OR REVIEW THE ERRORS. MS. GODWIN SAID THEY GOT THE INFORMATION THAT THEY WERE TO BE INTERVIEWED FROM COUNCIL, BUT THEY DID NOT THINK THAT THE COUNCIL LIED TO THEM. MS. GODWIN SAID SHE FELT THE COUNCIL RELAYED TO THEM WHAT THEY WERE TOLD. MS. GODWIN SAID THE LACK OF TRUST AND THE UNTRUTHS WILL NOT DETER THEM FROM TRYING TO GET THINGS RIGHT. CHAIRMAN HOOD ASKED THE CLERK TO CHECK THE MINUTES AND SEE IF THE COUNCIL SAID ANYTHING ABOUT THEM. CHAIRMAN HOOD TOLD MS. GODWIN THAT THE COUNCIL HAS NO CONTROL OVER HOW THE STATE DOES AN INVESTIGATION. MS. GODWIN SAID THEY WERE TOLD THEY WOULD BE INTERVIEWED, THEY WAITED AND CATEGORIZED AND ORGANIZED THE ERRORS TO BE PRESENTED. MS. GODWIN SAID THEY WOULD LIKE TO KNOW WHY THEY WERE MISLED. MS. GODWIN SAID THAT THEY DID NOT SEND SOMEONE TO INVESTIGATE THE ERRORS; THEY SENT SOMEONE TO INVESTIGATE THE PROCEDURES.

VERNON COVINGTON ASKED ABOUT PUTTING PARKS IN RIDGELAND AND WAGON BRANCH LIKE THEY ARE DOING IN LEVY. CHAIRMAN HOOD SAID THAT THEY APPROVED A WALKING TRAIL FOR WAGON BRANCH.

CHERYL COVINGTON SAID SHE WOULD LIKE TO KNOW MORE ABOUT THE EMPLOYMENT, THE WORKFORCE, AND IF DEVELOPMENT WILL BRING NEW JOBS TO THE COUNTY. CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO PREPARE A PRESENTATION ON THIS SUBJECT FOR THE NEXT MEETING. CHAIRMAN HOOD SAID THE COUNCIL WAS PASSIONATE ABOUT BRINGING JOBS TO JASPER COUNTY. CHAIRMAN HOOD SAID THEY WERE TRYING TO ATTRACT JOBS THAT WILL WORK WITH BOEING AND THAT THEY ARE WORKING ON SOME OTHER PROJECTS THAT MAY BE ANNOUNCED SOON. BEING NO FURTHER COMMENTS, CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

**EXECUTIVE SESSION:
DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION,
EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING**

LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY AND DISCUSSION REGARDING 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 AND 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:

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY AND DISCUSSION REGARDING 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 AND 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. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO REGULAR SESSION:

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN TYLER SECONDED THE MOTION TO RETURN TO REGULAR SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

LIBRARY BOARD:

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPOINT LILLIE MAUDE TERRY TO THE LIBRARY BOARD. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PLANNING COMMISSION:

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPOINT COURTNEY FLEXON TO THE PLANNING COMMISSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD SAID THE COUNCIL RECEIVED INFORMATION ON DEVELOPMENT PROJECTS, FEES AND THE PLANNING COMMISSION. CHAIRMAN HOOD ASKED ATTORNEY JONES TO UPDATE THE COUNCIL AT THE WEDNESDAY BUDGET WORKSHOP.

CHAIRMAN HOOD ASKED THE ADMINISTRATOR TO LOOK INTO OPTIONS TO DO COUNTY DEVELOPMENT PROJECTS.

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE SETTLEMENT WITH ESPY LUMBER AND BUILDERS' WHOLESALE CARPET AS DISCUSSED IN EXECUTIVE SESSION. COUNCILMAN ETHERIDGE ASKED TO INCLUDE THAT THE ATTORNEY TRY TO INVOLVE THE INSURANCE RESERVE FUND IN THE MOTION. ATTORNEY JONES SAID THAT DID NOT NEED TO BE ADDED TO THE MOTION AND HE WILL TAKE CARE OF IT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURN:

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

THE MEETING ENDED AT 7:15 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE HOOD
CHAIRMAN

