



**JASPER COUNTY COUNCIL  
J.C. GOVERNMENT BLDG.  
COUNCIL CHAMBERS  
JUNE 2, 2014  
MINUTES**

**4:00 P.M.**

**Budget Workshop/Meeting**

**OFFICIALS PRESENT:** Chairwoman Barbara Clark, Vice Chairman L. Martin Sauls, IV, Councilman Henry Etheridge, Councilman Theodus Drayton, Councilman D. Thomas Johnson

**STAFF PRESENT:** Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney Marvin Jones, Director of Administrative Services Ronnie Malphrus, Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Planning Director LeNolon Edge

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-** Chairwoman Clark called the Budget Workshop to order at 4:00 p.m.

**Budget Discussion and Recommendations** – Chairwoman Clark said that the Council sets the mills and approves the budget for the departments and the school board, but the Council has no control over how the school board spends the money. Chairwoman Clark said the citizens of Jasper County deserve a relief. Chairwoman Clark commented that the people who work for Jasper County deserve better and the 1<sup>st</sup> thing on the agenda for the budget next year will be to give a raise to the county employees. Chairwoman Clark added that no one who works for the County makes \$100,000 in salary and the hour has come to take care of the people who are taking care of Jasper County because without them, things would be a mess. Chairwoman Clark said the County employees are important and when the County cut 32 positions, the remaining employees' workload increased, but they did it. Mr. Fulghum told the Council he was ready to answer any questions. Mr. Fulghum said the actual ordinance has changed and Mr. Malphrus will explain the verbiage changes. Mr. Fulghum said the fire contracts with Ridgeland and Hardeeville are underway, and said the Levy Contract was to be for 5 years and that during the first 3 years Levy Fire Dept. would receive \$250,000 and the last 2 years of the contract they would receive \$230,000. Mr. Fulghum asked the Council to consider and approve the term sheet for Levy and he will get the contract done. Mr. Fulghum said there were some minor changes in the budget, but the budget was still balanced. Mr. Fulghum said the school district passed their budget and it included a 7mils increase which is about an additional \$535,000. Councilman Etheridge said the school district budgeted \$4,000 for travel and

training for each school board member. Councilman Etheridge said he felt that was excessive and he felt there were too many high salaries for the administrative staff. Councilman Etheridge said that teachers in other Counties are making about \$8,000 less than the teachers in Jasper County. Councilman Etheridge discussed the amount for legal fees in the school district's budget which he thought were very high. Vice Chairman Sauls said he agreed with Councilman Etheridge and he added that the School District's American Express bill was over \$20,000 last month and over \$15,000 the month before. Vice Chairman Sauls said the school district needed to spend more prudently. Councilman Etheridge said the School Board and the Council need to work together to see what will work. Councilman Etheridge said that he does not want to do anything that would harm the children. Vice Chairman Sauls said they needed a more open line of communication between the Council and the School Board. Councilman Johnson said it troubled him that School Board had the opportunity to sell a piece of property and they rejected an offer that was equal to about 11 mils. Councilman Johnson said the enrollment has been constant, but the budget continually increases. Councilman Johnson added that the closing of Hardeeville High School has created horrible problems and they say it was done to save money and that saved money is not shown in any calculations that he has seen. Councilman Drayton said he was in agreement with sitting down with the School Board and he would like to know why they would not sell the property to the Charter School. Chairwoman Clark said the Council really wanted to work with the School Board, but first they need to work with each other. Chairwoman Clark commented that 5 different offices asked for an additional employee in the County's budget and the Council denied all the requests and there will be no additional employees, but the School District wants to hire a security person. Chairwoman Clark said that monitoring cameras are in Mr. Owen's office. Chairwoman Clark said they are not going to tell the School District how to spend their money, but the Council will be setting the mils. Chairwoman Clark said in her entire life she has not seen as many School District lawsuits as in the last three years. Chairwoman Clark said something is wrong and to spend \$500,000 in court and ask for \$535,000 increase. Chairwoman Clark said they needed to work together. Chairwoman Clark questioned the need for an athletic director since the coaches can handle it. Chairwoman Clark said the Council needs to do what is right for the children and the citizens of Jasper County. Chairwoman Clark said there is a lot of fat in the School District's budget and said they could do a better job at providing documentation. Chairwoman Clark stated that employee vendor tell you nothing, so it is not transparent and people want the information. Chairwoman Clark said that the Council will set the mils and they do not intend to approve an increase. Chairwoman Clark said the School Board and the Council need to start working on their budget in December. Councilman Johnson discussed the \$35,000 spent defending a FOIA request that did not involve personal privacy issues and that FOIA request will cost twice as much because of the other attorney fees that will be needed. Councilman Johnson said it is not worth \$1,000,000 to hide something from a School Board member or anyone else. Councilman Johnson said that he felt the people running the show were entitled to the information and that money could be used to hire more teachers and it was not acceptable. Councilman Johnson said that requiring approval of 3 board members for another board member to get the information is just foolishness. Chairwoman Clark said they need to take care of the children and the teachers and the School District needs to do better and make do with what they get. Chairwoman Clark

said the Council will set the mils and the School District can determine how they will spend it. Councilman Etheridge asked Mr. West if it was common practice for an attorney to do the Superintendent's annual review. Mr. West said the review is done by a third party and it is done in executive session. Chairwoman Clark added that law firm explains how they compiled the information and last year nothing was put in writing and it is closed to FOIA. Chairwoman Clark questioned why the Superintendent's evaluation is not available to the public. Mr. Malphrus explained that the budget ordinance is different this year and the format has changed as recommended by Attorney Jones. Mr. Malphrus said the title reflects everything that is included in the ordinance and the table on page 2 separates the County and School. Mr. Malphrus said the Council will approve the budget and set the millage and estimated dollar amount. If more money is brought in the School District will only get the amount of dollars approved and the overage will be held and applied towards the next fiscal year's budget. Mr. Malphrus said that if the millage does not bring in the amount approved, the County will not make up the shortfall. Chairwoman Clark added that in the past, the School District received the approve amount and any overage that was collected. Chairwoman Clark said the extra funds have not been accounted for. Mr. Malphrus pointed out that on page 2 of the budget the \$16,479,000 is not what the School District requested, but the amount that would keep it at the current millage with the new millage value. Councilman Etheridge asked what the County does with the extra money it receives and Mr. Malphrus said it goes into the fund balance and the Council decides how to spend it. Councilman Etheridge asked Mr. Malphrus to make sure if it was legal to hold the School Districts funds. Mr. West said he did not know how the School District could build their fund balance if they did not receive the overage and he felt there was a case against it. Mr. Malphrus said he believes this can be done. Mr. Malphrus said that looking at last year, there is no record shown of the additional funds. Mr. Malphrus said the money would stay in an account for the Schools and the Council can choose what to do with it or it can be used to reduce taxes. Councilman Johnson said that the tax bill states the number of mills and Attorney Jones said that it does and that money will go to those things, but not necessarily this year. Attorney Jones said this is the way to set it up so that enough will be collected to provide the appropriation to the School District. Attorney Jones said the funds should not end up in a slush fund and this also lets the School District know the amount the Council approved. Chairwoman Clark asked what the fund balance is used for and Mr. West said to meet obligations and to carry on business if something happens. Chairwoman Clark said we are fortunate that we have not had any disasters and they should not use to the fund balance to meet obligations and to carry on business, but to work with what they have. Councilman Drayton asked what is in the fund balance now and Mr. West said they expected it to stay the same. Chairwoman Clark asked if any money was spent from the fund balance and Mr. West responded that money was spent due to the number of students and commitments. Councilman Drayton asked why the overage did not go into the fund balance. Councilman Drayton asked why the Council doesn't give the School District the overage for their fund balance. Chairwoman Clark responded that it won't be in the fund balance next year. Attorney Jones said the school mils must be used for the schools and last year the treasurer sent all the money collected to the schools. Attorney Jones apologized for calling it a slush fund and said the School District should ask for what they need and both entities have things come up that are not budgeted for and have to be handled. Chairwoman Clark said \$300,000 for attorney

fees is a lot of money. Mr. West said he would have to check on the amount of legal fees. Mr. West said he would work with Mr. Malphrus. Chairwoman Clark said that the Council and the School Board needs to work together and use what they have to educate the Children.

Councilman Etheridge said there are senior citizens who would like to get into the programs offered by the Council on Aging and he would like to increase their appropriation by \$10,000. Councilman Etheridge said he felt the money could be found by changing the appropriations to the other agencies. Mr. Fulghum said he would like for the Council to come up with the money. Mr. Malphrus said the MIAP appropriation is mandated and this year it is \$6,624 and it is currently not included in the budget. Mr. Malphrus said they will be looking for \$17,000. Mr. Fulghum said he could come up with the \$6,624 and it was the consensus of the Council to cut \$5,000 from JARM and \$5,000 from BJHCH and add the money to the Council on Aging. Mr. Fulghum provided the council information on the Cherry Point Fire Station millage and discussed the cost of having two ambulances there. Councilman Etheridge asked if they could cut the millage and Mr. Fulghum said he would talk with Hardeeville and get the cost of operating the station. Vice Chairman Sauls told Mr. Fulghum to do it right way so that a tax break could be given those citizens.

The budget workshop ended at 5:30 p.m.

#### **Executive Session – Council Conference Room**

##### **Executive Session**

**Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by a public body – Project Update, Waste Management, The Setting at Mackay Point – Vice Chairman Sauls moved and Councilman Etheridge seconded the motion to go into executive session for the discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by a public body – Project Update, Waste Management, The Settings at Mackay Point; the motion carried with all members present voting in favor.**

##### **DINNER BREAK**

**Return to Open Session - Chairman Sauls moved and Councilman Etheridge seconded the motion to return to open session. The motion carried with all members present voting in favor.**

**Pledge of Allegiance –**Councilman Drayton led the Pledge of Allegiance.

**Invocation –**Vice Chairman Sauls gave the invocation.

**Approval of the Minutes – 05/19/2014 –**Vice Chairman Sauls moved and Councilman Johnson seconded the motion to approve the minutes with any necessary corrections. Councilman Etheridge said that he said it would cost \$30,000,000 more than the \$21,000,000 that they had allotted for Hwy. 17. The motion carried with all members present voting in favor.

**Approval of the Agenda** - Chairman Sauls moved and Councilman Etheridge seconded the motion to approve the agenda; the motion carried with all members present voting in favor.

### **Presentations**

**Roger Riley – Presentation of Plaque of Appreciation** – Mr. Riley, Barnwell County Emergency Management Director, presented the Council with a plaque of appreciation for the relief help provided by Jasper County.

**Frankie Denmark and Jim Wegman-JSF-F35 Update** – Mr. Denmark updated the Council on the importance of the JSF-F35 coming to the area and the impact this is going to have on the area. Mr. Denmark said the County needed to be a part of this and he said he would help in any way that he could.

**Chairwoman Clark - Presentation of Plaque to Rhonda Cradle** – Chairwoman Clark presented Ms. Cradle a plaque in recognition of her outstanding work as the Victim’s Witness Advocate. Duffy Stone also praised the work done by Ms. Cradle.

**Chairwoman Clark –Presentation of Plaque to D.P. Lowther** – Chairwoman Clark presented Mr. D.P. Lowther a plaque of appreciation for his many years of service on the Jasper County Council and for the citizens of Jasper County.

### **Ordinances**

**Ronnie Malphrus - 2<sup>nd</sup> Reading of an Ordinance Authorising the Issuance and Sale of Jasper County, South Carolina, Special Source Revenue Bonds (Jasper County Schools Project); the Entering Into of Certain Covenants and Agreements; and the Execution and Delivery of Certain Instruments Relating to the Issuance of the Aforesaid Bonds, Including an Indenture and Certain Other Matters Relating Thereto** – Mr. Malphrus explained that the bonds were for the school district and due to the way they have been handled, they should be paid off in 2019. Mr. Malphrus requested approval. Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the 2<sup>nd</sup> Reading of an Ordinance Authorising the Issuance and Sale of Jasper County, South Carolina, Special Source Revenue Bonds (Jasper County Schools Project); the Entering Into of Certain Covenants and Agreements; and the Execution and Delivery of Certain Instruments Relating to the Issuance of the Aforesaid Bonds, Including an Indenture and Certain Other Matters Relating Thereto; the motion carried with all members present voting in favor.

**Andrew Fulghum – Public Hearing and 2<sup>nd</sup> Reading of the Ordinance Adopting and Approving the Jasper County Capital and Operations Budget for FY 2014-2015** – Mr. Fulghum said the County’s budget was \$24,226,566 and the School’s budget was \$19,141,500 including debt service for both. Chairwoman Clark opened the public hearing; there were no comments. Chairwoman Clark closed the public hearing. Councilman Johnson moved and Vice Chairman Sauls seconded the motion that this be the Public Hearing and 2<sup>nd</sup> Reading of the Ordinance Adopting and Approving the Jasper County Capital and Operations Budget for FY 2014-2015; the motion carried with all members present voting in favor.

**Marvin Jones – 1<sup>st</sup> Reading of the Ordinance Calling for a Referendum to Determine Whether the South Carolina Dept. of Revenue may Issue Temporary Permits to Allow for the Sale of Alcoholic Beverages for On-Premises Consumption on Sundays in Jasper County –** Councilman Drayton moved and Councilman Johnson seconded the motion that this be the 1<sup>st</sup> Reading of the Ordinance Calling for a Referendum to Determine Whether the South Carolina Dept. of Revenue may Issue Temporary Permits to Allow for the Sale of Alcoholic Beverages for On-Premises Consumption on Sundays in Jasper County. Councilman Etheridge commented that the Council was voting for this to be placed on the ballot for the citizens to decide in November. Vice Chairman Sauls said major restaurants will not locate in the County unless they can sell alcohol on Sunday and this is needed to stimulate the economy. The motion carried with Chairwoman Clark, Vice Chairman Sauls, and Councilmen Drayton and Johnson voting for; Councilman Etheridge abstained.

### **Resolutions**

**Ronnie Malphrus - Authorizing the Lease of Certain Real Property and the Buildings and Other Site Improvements Located Thereon by Jasper County, South Carolina to St. Peters Parish/Jasper County Public Facilities Corporation, Including Authorizing the Inclusion of Such Property Under a Base Lease, a Facilities Agreement, a Lease Agreement, and a Leasehold Mortgage Agreement; and Other Matters Relating Thereto.** – Mr. Malphrus explained that the resolution was necessary so that the funds remaining from the Court House renovation could be used at the Mary Gordon Ellis Bldg. Mr. Malphrus said the \$250,000 was originally pledged to renovate the old Health Dept. and they decided not to do the renovation. Councilman Johnson moved and Councilman Drayton seconded the motion to pass the Resolution Authorizing the Lease of Certain Real Property and the Buildings and Other Site Improvements Located Thereon by Jasper County, South Carolina to St. Peters Parish/Jasper County Public Facilities Corporation, Including Authorizing the Inclusion of Such Property Under a Base Lease, a Facilities Agreement, a Lease Agreement, and a Leasehold Mortgage Agreement; and Other Matters Relating Thereto; the motion carried with all members present voting in favor.

### **Old Business - None**

### **New Business- None**

**Committee Reports –Councilman Drayton** reported that he attended the Port’s Authority meeting in Charleston and he feels the Port will come and it is just a matter of time. Councilman Drayton announced that the walking trail in Tarboro is complete and the Community will be hosting a ribbon cutting. **Councilman Johnson** reported that he also attended the Port meeting and said they have committed to build the Port, but they are in no hurry. **Vice Chairman Sauls** reported that he attended the SCA Annual Meeting and Gov. Haley was present. Vice Chairman Sauls said it was a fantastic event. Vice Chairman Sauls reminded the public that the Swinging Medallions would be performing at the Farmers’ Market. **Councilman Etheridge** reported that he attended the SCA Annual Meeting and he said that 8 new businesses will be opening in the LowCountry in the next 60 days. Councilman Etheridge

said that Mr. Warner Peacock, Jasper County's Economic Development Ambassador, was recognized at the event. Councilman Etheridge added that he attended the Port Meeting and the budget is not complete, however, they should be starting to get permits and that the Port should be done in 10-15 years after that. **Chairwoman Clark** reported that there will be a Public Hearing concerning the airport June 3, 2014 from 5-7 p.m. at Jasper County High School. Chairwoman Clark said she is still getting calls from the citizens concerning Hwy. 321 and Argent Blvd. She asked the citizens to continue calling the State and she added that she will be staying on top of the situation.

**Administrator's Report** – Mr. Fulghum told the Council that the Farmers' Market would be opening on Friday and it will be located in town. Mr. Fulghum reported that they had another clean-up day and picked up trash from McDonalds to Bee Creek Road and that more clean-up days will be held in the future. Mr. Fulghum requested approval of the terms of the Levy Fire Contract. Vice Chairman Sauls moved and Councilman Drayton seconded the motion to approve the 5 year Levy Fire Contract in the amount of \$255,000 for 3 years and \$230,000 for the remaining two years. The motion carried with all members present voting in favor.

**Open Floor to the Public- Per ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.** Chairwoman Clark opened the floor to the public. Lavinia Youmans explained that the 4H/Rosemary Group was attending the meeting so see what the Council does. Ms. Youman said the Councilman Drayton and Sheriff Jenkins both attended one of their meetings. Ms. Youman explained that the Club teaches the youth to be productive citizens. Being no further comments, Chairwoman Clark closed the floor to the public.

**Adjourn-** Vice Chairman Sauls moved and Councilman Johnson seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 7:45 p.m.

Respectfully Submitted by:

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Judith M. Frank, ccc  
Clerk to Council

Approved by:

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Barbara B. Clark  
Chairman

