



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
358 THIRD AVE., RIDGELAND, SC 29936
TUESDAY, SEPTEMBER 7, 2010
AGENDA
4:00 P.M.**

OFFICIALS PRESENT - GEORGE HOOD-CHAIRMAN, LEROY BLACKSHEAR-VICE CHAIRMAN, HENRY ETHERIDGE-COUNCILMAN, REV. SAMUEL GREGORY-COUNCILMAN

OFFICIALS ABSENT:
HUBERT TYLER-COUNCILMAN

STAFF PRESENT - ANDREW FULGHUM-ADMINISTRATOR, RONNIE MALPHRUS-DIRECTOR OF ADMINISTRATIVE SERVICES, JUDITH FRANK- CLERK TO COUNCIL, MARVIN JONES – ATTORNEY,. DAVID JIROUSEK- PLANNING AND BUILDING DIRECTOR, WILBUR DALEY- DIRECTOR OF EMERGENCY SERVICES

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 GAVE THE INVOCATION.

APPROVAL OF THE MINUTES - VICE CHAIRMAN BLACKSHEAR ASKED THAT THE MINUTES BE CORRECTED TO INCLUDE THE COMMENTS HE MADE REGARDING THE TREASURER NOT GOING TO THE SATELITTE OFFICE IN HARDEEVILLE. THE CLERK INCLUDED THE STATEMENT. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE MINUTES 8/16/2010 COUNCIL MEETING AND 8/24/2010 SPECIAL CALLED MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATION

NOEL THORN – YEMASSEE REGIONAL PLANNING STEERING COMMITTEE UPDATE: MR. THORN REVIEWED THE YEMASSEE PLAN AND THE LISTED THE COUNTIES WHO HAVE BEEN WORKING TOGETHER. MR. THORN SAID THAT YEMASSEE IS IN THE CENTER OF ALL THE COUNTIES THAT ARE WORKING ON THE PLAN. MR. THORN REQUESTED THAT THE COUNCIL APPROVE THE WORK THAT HAS BEEN DONE, TO CREATE A STEERING COMMITTEE AND TO APPOINT AN ELECTED OFFICIAL AS A MEMBER TO THE STEERING COMMITTEE. CHAIRMAN HOOD SAID HE ATTENDED THE MEETINGS AND HE FELT THIS WAS A GOOD PLAN AND HE URGED THE COUNCIL TO SUPPORT THE PLAN. THE PLAN SUPPORTS AFFORDABLE HOUSING, JOBS, HELPING PEOPLE IN NEED AND EDUCATION. MR. KNOLL SAID THAT THEY NEEDED PERMISSION TO MOVE FORWARD WITH THIS WORK. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE WORK THAT HAS BEEN DONE BY THE YEMASSEE REGIONAL PLANNING STEERING COMMITTEE AND FOR THE COMMITTEE TO CONTINUE THE WORK AND TO APPOINT A MEMBER TO THE STEERING COMMITTEE. MR. THORN SAID THE COMMITTEE MEMBER DID NOT HAVE TO BE AN ELECTED OFFICIAL. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. CHAIRMAN HOOD SAID THEY WOULD APPOINT A MEMBER AT THE NEXT COUNCIL MEETING.

VOLUNTEERS IN MEDICINE – MS. BROWN EXPLAINED THAT THERE WILL BE TWO LOCATIONS, ONE IN BLUFFTON AND ONCE THAT IS UP AND RUNNING THE MOBILE UNIT WILL MOVE TO JASPER COUNTY. MS. BROWN SAID THEY HAVE A WAY TO BUS PEOPLE FROM JASPER COUNTY TO THE BLUFFTON OFFICE. MS. BROWN SAID THAT MEDICAL CARE WILL BE PROVIDED AT NO CHARGE TO THE PEOPLE WHO CANNOT AFFORD MEDICAL CARE. MS. BROWN SAID THEY WERE APPLYING FOR GRANTS. COUNCILMAN ETHERIDGE SUGGESTED THAT THE COUNCIL SEND A LETTER OF SUPPORT TO MS. BROWN. IT WAS THE CONSENSUS OF THE COUNCIL TO SEND THE VOLUNTEERS IN MEDICINE A LETTER OF SUPPORT.

ANDREW FULGHUM – GFOA AWARD: MR. FULGHUM RECOGNIZED MR. RONNIE MALPHRUS FOR WINNING THE GFOA AWARD FOR EXCELLENCE IN FINANCIAL REPORTING.

ANDREW FULGHUM – RECOGNITION OF BROADBAND GRANT AWARD: MR. FULGHUM SAID THE BROADBAND GRANT WAS A JOINT EFFORT OF JASPER COUNTY AND TCL. MR. FULGHUM SAID THE STIMULUS FUNDS THAT WERE RECEIVED WERE USED TO PURCHASE 10 NEW COMPUTERS THAT ARE TO BE GIVEN TO THE HARDEEVILLE AND PRATT LIBRARY. MR. HENDERSON, REPRESENTATIVE OF TCL, SAID THAT IN ALL, THEY WERE RECEIVING 90 COMPUTERS AND HARDEEVILLE WAS GETTING 10 COMPUTERS SO THE BROADBAND ACCESS IS AVAILABLE TO THE CITIZENS. COUNCILMAN ETHERIDGE ASKED HOW MUCH IS THE TOTAL GRANT AND MR. HENDERSON SAID THEY RECEIVED \$200,000.00. CHAIRMAN HOOD COMMENTED THAT THE COMPUTERS WILL BE VERY HELPFUL TO THE STUDENTS.

PUBLIC HEARINGS AND ORDINANCES

WILBUR DALEY – 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO ADD TO ARTICLE II OF CHAPTER 6, DIVISION 3 THEREOF TO CREATE A GATE ACCESS PROGRAM

MR. DALEY STATED THAT THIS ORDINANCE HAS HAD TWO READINGS AND A PUBLIC HEARING AND THE ORDINANCE HAS NOT BEEN AMENDED. MR. DALEY REVIEWED THE COSTS OF INSTALLATION OF THE DEVICE AND THAT THE OWNER OR DEVELOPER WOULD PAY FOR THE INSTALLATION. COUNCILMAN ETHERIDGE ASKED IF THE SHERIFF'S DEPARTMENT IS ON BOARD, AS HE HEARD THEY WERE JUST COMING ON BOARD WITH THIS AND MR. DALEY SAID THAT HE SPOKE TO MR. HUGHES ABOUT 2 ½ WEEKS AGO AND THEY FEEL THIS PROGRAM WILL ALSO HELP THEM. VICE CHAIRMAN BLACKSHEAR ASKED WHAT HAPPENS IF A PROPERTY OWNER REFUSES TO INSTALL THE DEVICE. MR. DALEY SAID THEY COULD BE ISSUED A FINE. VICE CHAIRMAN BLACKSHEAR ASKED IF A FINE WAS STATED IN THE ORDINANCE. MR. DALEY RESPONDED THAT THE AMOUNT OF THE FINE IS NOT LISTED AND IT WOULD BE UP TO THE COURTS. COUNCILMAN GREGORY SAID IF THERE IS NO AMOUNT IN THE ORDINANCE, HOW CAN THE COURT ISSUE A FINE THAT DOES NOT HAVE ANY GUIDELINES. MR. DALEY SAID HE WOULD WORK WITH THE MAGISTRATES TO DETERMINE A FINE. COUNCILMAN GREGORY ASKED WHY THERE WAS A DELAY NOTIFYING THE SHERIFF ABOUT THIS ORDINANCE. MR. DALEY SAID HE ONLY CONSIDERED FIRE AND THE TOWNS ARE IN AGREEMENT AND IT WAS AN OVERSIGHT ON HIS BEHALF NOT TO HAVE INVOLVED THE SHERIFF FROM THE BEGINNING. COUNCILMAN ETHERIDGE ASKED HOW SOMEONE COULD BE FINED IF THIS IS ADVISED TO DO, BUT NOT REQUIRED. MR. DALEY SAID IT STATES IT IN THE ORDINANCE. COUNCILMAN ETHERIDGE ASKED IF IT WAS VOLUNTARY AND MR. DALEY SAID IT WOULD HAVE TO BE DONE ON ALL AUTOMATED GATES. MR. JIROUSEK SAID THE PLANNING DEPT. COULD HOLD UP PERMITTEING IF IT IS NOT DONE. VICE CHAIRMAN BLACKSHEAR SAID THAT HOLDING UP PERMITTING WOULD ONLY COVER NEW CONSTRUCTION AND HE ASKED WHAT'S IN PLACE ALREADY. ATTORNEY JONES SAID THAT IF A PERSON VIOLATES THE COUNTY ORDINANCE THEY COULD BE ISSUED A GENERAL FINE IN THE MAGISTRATE COURT. COUNCILMAN GREGORY SAID THE MAGISTRATE NEEDS A PENALTY SCALE AND IT SHOULD BE INCLUDED IN THE ORDINANCE. COUNCILMAN GREGORY SAID PEOPLE IN UNIFORM ARE NOT ALWAYS WHO THEY SEEM TO BE AND HE WAS CONCERNED ABOUT WHO HAD ACCESS. VICE CHIARMAN BLACKSHEAR MOTIONED THAT THIS BE THE 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO ADD TO ARTICLE II OF CHAPTER 6, DIVISION 3 THEREOF TO CREATE A GATE ACCESS PROGRAM. THE MOTION DIED FOR LACK OF A SECOND.

RONNIE MALPHRUS – 1ST READING OF THE ORDINANCE TO AMEND THE PROCUREMENT POLICY – MR. MALPHRUS EXPLAINED THAT THE AMENDMENTS WERE NEEDED TO CONFORM TO CRITERIA NEEDED FOR FEDERAL GRANT REQUIREMENTS. MR. MALPHRUS SAID THAT A LOCAL

PREFERENCE CANNOT BE GIVEN ON CERTAIN PROJECTS USING FEDERAL FUNDS. MR. MALPHRUS USED THE EXAMPLE OF C-FUNDS NOT ALLOWING LOCAL PREFERENCE TO BE USED. CHAIRMAN HOOD ASKED MR. JONES TO DEFINE MINORITY BUSINESS. MR. JONES EXPLAINED THAT 50% OF A COMPANY OWNED BY A PERSON OF COLOR OR A WOMAN IS CONSIDERED A MINORITY COMPANY. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE TO AMEND THE PROCUREMENT POLICY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

DAVID JIROUSEK – 1ST READING OF THE ORDINANCE REGARDING THE REZONING OF THE N. SAVANNAH PROPERTIES LOCATED AT HWY. 17 AND HWY. 170 – MR. JIROUSEK EXPLAINED THAT AN APPLICATION WAS CONSIDERED BY THE PLANNING COMMISSION IN JULY FOR THE SAME THREE PARCELS AND IT WAS WITHDRAWN ON JULY 16TH; A NEW APPLICATION FOR GC ZONING WAS SUBMITTED ON JULY 19TH FOR AUGUST REVIEW BY THE PLANNING COMMISSION AND SEPTEMBER CONSIDERATION BY COUNTY COUNCIL. MR. JIROUSEK SAID THAT ACCORDING TO THE 2007 JASPER COUNTY COMPREHENSIVE PLAN, THE RECOMMENDED DEVELOPMENT FRAMEWORK OF THE COUNTY "USES A DEVELOPMENT AREA CONCEPT TO MANAGE FUTURE GROWTH BY ENCOURAGING AND ENHANCING GROWTH PATTERNS THAT HAVE NATURALLY OCCURRED WITHIN THE COUNTY." MR. JIROUSEK SAID THAT THE SUBJECT PROPERTIES ARE NOT LOCATED WITHIN A DEVELOPMENT AREA ON THE JASPER COUNTY COMPREHENSIVE PLAN PROJECTED GENERAL LAND USE MAP. HOWEVER, THE FUTURE LAND USE OF SOUTHERN JASPER COUNTY WAS NOT FULLY CONSIDERED AS SAVANNAH AND JASPER PORT-RELATED DEVELOPMENT WAS NOT ANTICIPATED IN THE PLAN. MR. JIROUSEK ADDED THAT SINCE THERE WAS AN ABSENCE OF INFORMATION IN THE COMPREHENSIVE PLAN TO HELP GUIDE THE STAFF RECOMMENDATION, SECTION 3:2.5 OF THE ZONING ORDINANCE REGARDING ACTION BY COUNTY COUNCIL SHOULD BE CONSIDERED. ACCORDING TO THIS SECTION, A ZONING MAP AMENDMENT COULD BE CONSIDERED IF "THERE HAVE BEEN MAJOR CHANGES OF AN ECONOMIC, PHYSICAL, OR SOCIAL NATURE WITHIN THE AREA INVOLVED WHICH WERE NOT ANTICIPATED IN THE COUNTY'S COMPREHENSIVE PLAN AND WHICH HAVE SUBSTANTIALLY ALTERED THE BASIC CHARACTER OF SUCH AREA." THIS STATEMENT APPLIES TO THE SUBJECT PROPERTIES AS THEY ARE ADJACENT TO THE DELTA BLUFFS PDD AND IN CLOSE PROXIMITY TO THE RIVERPORT TRACT WITH THE DEVELOPMENT POTENTIAL OF SEVERAL MILLION SQUARE FEET OF COMMERCIAL AND INDUSTRIAL USES. THE COMPREHENSIVE PLAN DOES NOT ANTICIPATE THIS PORT-RELATED DEVELOPMENT POTENTIAL IN ADDITION TO THE NEED FOR SUPPORT OF THE INDUSTRIAL ACTIVITIES AND EMPLOYEES (GOODS AND SERVICES) AND THE FACT THAT A SINGLE FAMILY RESIDENTIAL ZONING DISTRICT IS INAPPROPRIATE FOR THIS AREA. MR. JIROUSEK SAID THAT TRAFFIC ACCESS WAS AN ISSUE WHEN THE APPLICANT SOUGHT REZONING OF THE CORNER PARCEL, GIVEN THE PROXIMITY TO A MAJOR INTERSECTION. SC

DOT ENCROACHMENT PERMITS COULD NOT BE ISSUED FOR THE CORNER PARCEL BASED ON ITS SIZE AND PROXIMITY TO THE INTERSECTION. AS A RESULT, ALL THREE PARCELS MUST INTERCONNECT WITH AN INTERNAL ROAD SYSTEM AND COORDINATED ACCESS PLAN. FUTURE INTERCONNECTIVITY WITH THE DELTA BLUFFS PDD COULD POTENTIALLY BE INCORPORATED TO BENEFIT BOTH DEVELOPERS. AS SUCH, THE APPLICANT PLANS TO PROPOSE A COST-SHARING PLAN FOR SHARED ACCESS AND/OR PROVIDE FOR AN "ACCESS PARCEL" THAT MAY BE PURCHASED BY THE DEVELOPERS OF THE ADJACENT PDD. THIS ISSUE WILL BE SETTLED BETWEEN THE TWO PARTIES WITH COUNTY FACILITATION IF NEEDED. MR. JIROUSEK SAID THAT THE PROPERTY TO THE WEST IS ZONED GENERAL COMMERCIAL, TO THE EAST IS THE DELTA BLUFFS PDD AND TO THE NORTH AND SOUTH IS RURAL PRESERVATION. PROPOSED ZONING IS COMPATIBLE WITH THE EXISTING DESIGNATIONS. MR. JIROUSEK SAID THAT THE ADJACENT LAND IS UNDEVELOPED EXCEPT FOR THE EXISTING SCAD EQUESTRIAN FACILITY AND RECREATIONAL FIELDS TO THE SOUTH. MR. JIROUSEK SAID TO THE COUNCIL THAT THE PROPOSED LAND USES ARE CONSISTENT WITH FUTURE LAND USES PLANNED FOR THE VICINITY. MR. JIROUSEK SAID THAT A PDD DESIGNATION MAY BE REQUESTED IN THE MONTHS AHEAD. MR. JIROUSEK SAID A TRAFFIC STUDY WAS PROVIDED. MR. JIROUSEK SAID THAT THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH THE FOLLOWING RECOMMENDATIONS: LAND USE-THIS WAS PRIMARILY A LAND USE COMPATIBILITY DECISION. THE CURRENT RESIDENTIAL ZONING IS INAPPROPRIATE ADJACENT TO DELTA BLUFFS, WHICH HAS 1.2 MILLION SF OF COMMERCIAL AND LIGHT INDUSTRIAL CURRENTLY APPROVED; ZONING; THESE PARCELS WERE SPECIFICALLY CALLED OUT AND KEPT RESIDENTIAL DURING THE 2007 COUNTYWIDE ZONING PROJECT TO ENSURE A BETTER UNDERSTANDING OF ACCESS AND COMPATIBILITY OF LAND USE. AS SHARED ACCESS HAS BEEN PROPOSED WITH DELTA BLUFFS AND GENERAL COMMERCIAL ZONING IS CONSISTENT WITH THE NON-RESIDENTIAL ZONING OF THE PDD, BOTH OF THESE ISSUES HAVE BEEN ADDRESSED AND THE REZONING IS APPROPRIATE; OTHER PROPERTY: THE MAJORITY OF PROPERTIES FRONTING SC 17 ARE CLASSIFIED AS NON-RESIDENTIAL; TRAFFIC IMPACT: TRAFFIC STUDIES AND THE PRELIMINARY JASPER COUNTY TRAFFIC MODEL SHOW THAT SC 17 IS VERY CLOSE TO CAPACITY CONSIDERING THE TYPE OF ROAD AND THE CURRENT AVERAGE ANNUAL DAILY TRAFFIC COUNTS. THE CAPACITY OF SC 17 WILL BE EXCEEDED WHETHER THIS PROPERTY IS REZONED OR NOT; ACCESS MANAGEMENT AND FUTURE TRAFFIC STUDIES: AS THIS IS ONLY A ZONING MAP AMENDMENT REQUEST, ALL FUTURE DEVELOPMENT PROPOSALS (MAJOR SITE PLAN OR SUBDIVISION) WILL REQUIRE FURTHER TRAFFIC STUDY, SC DOT ENCROACHMENT PERMITTING, AND COUNTY DEVELOPMENT PERMITTING. ANY FUTURE DEVELOPMENT PROPOSAL WHICH SHOWS UNACCEPTABLE TRAFFIC CONDITIONS WILL NOT BE PERMITTED BY DOT AND/OR THE COUNTY; AND OVERALL ROAD NETWORK: ENSURING COUNTY-WIDE ROAD CAPACITY ISSUES ARE SATISFIED PRIOR TO ANY FURTHER UPZONING WILL SET PRECEDENCE HOW THE COUNTY REVIEWS ZONING

MAP AMENDMENT REQUESTS. TRAFFIC STUDIES AND MITIGATION ARE TYPICALLY ADDRESSED DURING MASTER PLAN REVIEWS, SUBDIVISION OR MAJOR SITE PLAN REVIEWS. COUNCILMAN GREGORY ASKED ABOUT THE TRAFFIC COUNT, FUTURE PLANS FOR THE PROPERTY AND THE PROXIMITY TO HOMES IN THE AREA. MR. JIROUSEK SAID THE TRAFFIC COUNT IS ABOUT AT CAPACITY FOR THE CURRENT ROAD AND THAT THE SITE IS ABOUT ½ MILE FROM ANY HOMES. DAN KEIFFER, THE LAND DEVELOPER, SAID HE WAS NOT AWARE OF THE FUTURE USE AND JOHN SCOTT SAID THAT THERE WAS ONE CANDIDATE LOOKING INTO PUTTING A GAS STATION CONVENIENCE STORE. COUNCILMAN ETHERIDGE ASKED IF ALL THE LAND WAS OWNED BY ONE INDIVIDUAL AND MR. JIROUSEK SAID THERE WAS ONLY ONE OWNER. COUNCILMAN ETHERIDGE ASKED IF THIS WOULD COME BACK TO COUNCIL FOR ANY CHANGES. MR. JIROUSEK SAID IT WOULD GO BACK TO THE PLANNING COMMISSION OR STAFF UNLESS IT IS CHANGED TO A PDD. COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 1ST READING OF THE ORDINANCE REGARDING THE REZONING OF THE N. SAVANNAH PROPERTIES LOCATED AT HWY. 17 AND HWY. 170. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS

ANDREW FULGHUM – RESOLUTION APPROVING MOU WITH THE STRATFORD GROUP- MR. FULGHUM EXPLAINED THAT THE MOU SETS THE COURSE FOR THE COUNTY AND THE DEVELOPER TO WORK THROUGH AND THE MOU MORALLY OBLIGATES THE COUNTY TO FOLLOW THROUGH AND HE ASKED THAT THE COUNCIL APPROVE THE RESOLUTION AND AUTHORIZE THE CHAIRMAN TO SIGN. MR. FULGHUM SAID THE RESOLUTION AUTHORIZES THE CHAIRMAN TO SIGN; HOWEVER THE SIGNATURE FOR THE MOU LISTS THE ADMINISTRATOR TO SIGN. MR. FULGHUM SAID ONE OF THEM WOULD HAVE TO BE CHANGED. COUNCILMAN ETHERIDGE ASKED IF FUTURE DEVELOPERS OR OWNERS FALL UNDER THIS MOU AND MR. BULLWINKLE SAID THAT IT WOULD GO TO THE SUCCESSOR. MR. BULLWINKLE SAID THIS IS A GOOD WAY TO ATTRACK INDUSTRIES TO PURCHASE THE PROPERTY AND THE BENEFITS OF THE MOU GO WITH THE LAND. MR. BULLWINKLE SAID THE RESIDENTIAL AREA IS NOT INCLUDED AND THE MOU DOES NOT GIVE THE RESIDENTIAL AREA ANY TAX BREAK. COUNCILMAN ETHERIDGE ASKED WHO WOULD BE PAYING FOR THE EXPENSES. MR. BULLWINKLE SAID THE COMPANY WOULD BE PAYING ALL THE EXPENSES FOR ALL THE DOCUMENTS. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO PASS THE RESOLUTION APPROVING THE MOU WITH THE STRATFORD GROUP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – RESOLUTION APPROVING SALE OF SURPLUS PROPERTY: MR. FULGHUM SAID THAT THERE WERE TWO PIECES OF EQUIPMENT THAT ARE NOT USEABLE. MR. FULGHUM SAID THIS IS A STANDARD RESOLUTION TO APPROVE SELLING THE SURPLUS EQUIPMENT. MR. FULGHUM SAID THAT THE EQUIPMENT WOULD BE SOLD ON WWW.GOVDEALS.COM. VICE CHAIRMAN BLACKSHEAR MOTIONED AND

COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE RESOLUTION APPROVING THE SALE OF THE SURPLUS PROPERTY THAT IS LISTED AND ATTACHED TO THE RESOLUTION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

OLD BUSINESS

DAVID JIROUSEK – UPDATE OF OLD HOUSE INTERSECTION – MR. JIROUSEK STATED THAT BASED ON THE PUBLIC PRESENTATION TO COUNCIL ON JULY 19TH, THE STAFF PREPARED A FOLLOW-UP LETTER TO THE SC DOT TRAFFIC SAFETY OFFICE REGARDING CONCERNS BROUGHT FORTH BY THE PUBLIC. A RESPONSE WAS PROVIDED ON AUGUST 26TH. WHILE CONSTRUCTION PLANS FOR THE INTERSECTION HAVE NOT BEEN FINALIZED, THE PROJECT DESIGN WILL REFLECT THE POSITIONS SUMMARIZED IN THE DOT LETTER. MR. JIROUSEK SAID THAT WHEN THE FINAL PLANS ARE READY HE WOULD HOLD ANOTHER MEETING FOR INPUT FROM THE PEOPLE. COUNCILMAN GREGORY ASKED ABOUT THE CHURCH LAND AND HOW IT IS BEING AFFECTED. MR. JIROUSEK SAID THE STATE FEELS THEY WILL BE ABLE TO STAY WITHIN THE RIGHT OF WAY. CHAIRMAN HOOD ASKED MR. JIROUSEK TO INVITE THE CITIZENS TO REVIEW THE FINAL PLANS.

NEW BUSINESS

ANDREW FULGHUM - APPOINTMENT OF MEMBER TO THE WORKFORCE INVESTMENT BOARD: THIS ITEM WAS TABLED UNTIL THE NEXT MEETING.

DALE TERRY – PRESENTATION AND APPROVAL OF BIDS FOR PAVING VOLUNTEER PARK ROAD- MR. MALPHRUS TOLD THE COUNCIL THAT MR. TERRY RECEIVED FUNDING APPROVAL FROM THE TRANSPORTATION COMMITTEE TO PAVE THIS ROAD. MR. MALPHRUS SAID THERE WERE TWO BIDS AND ASKED THE COUNCIL TO APPROVE THE LOW BID IN THE AMOUNT OF \$103,287.70 FROM SANDERS BROTHERS CONSTRUCTION. MR. MALPHRUS SAID THE DENNIS CORP. HAS WORKED WITH AND IS SATISFIED WITH THE WORKMANSHIP OF SANDERS BROTHERS CONSTRUCTION. COUNCILMAN ETHERIDGE ASKED WHAT WOULD THE TOTAL BE INCLUDING THE DENNIS CORP. CHARGES AND MR. MALPHRUS SAID ABOUT \$127,000. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE BID OF SANDERS BROTHERS CONSTRUCTION IN THE AMOUNT OF \$103,287.70 TO PAVE VOLUNTEER PARK ROAD AND IT IS TO BE PAID FOR WITH C-FUNDS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. COUNCILMAN GREGORY ASKED MR. MALPHRUS TO MAKE SURE A PENALTY FEE IS CHARGED IF THE PROJECT IS NOT COMPLETED BY THE END OF OCTOBER. MR. MALPHRUS SAID THERE WILL BE CHARGES OF SO MUCH PER DAY IF NOT COMPLETED BY DEADLINE.

ANDREW FULGHUM – PRESENTATION AND APPROVAL OF BIDS FOR PARKING LOT AND HARDSCAPE WORK – COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO

TABLE THIS UNTIL THE NEXT MEETING AND THAT A BREAKDOWN OF THE EXPENSES IS TO BE PROVIDED. THE MOTION CARRIED WITH ALL MEMBER PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – PRESENTATION OF PROPOSAL FOR THE DISPOSITION OF THE CLEMSON BUILDING – MR. FULGHUM INFORMED THE COUNCIL THAT THE TOWN OF RIDGELAND OFFERED \$50,900. FOR THE CLEMSON BUILDING AND THAT THIS CAN BE DISCUSSED AS A CONTRACTUAL MATTER IN EXECUTIVE SESSION. COUNCILMAN GREGORY ASKED THE VALUE OF THE PROPERTY. MR. FULGHUM SAID THAT AN APPRAISAL WAS DONE IN 2007 AND IT APPRAISED FOR \$ 225,000 AND IT WAS APPRAISED AGAIN IN APRIL FOR \$190,000. COUNCILMAN GREGORY SAID HE FELT IT WAS WORTH MORE THAN \$50,900. COUNCILMAN ETHERIGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS ITEM BE TABLED AND DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RONNIE MALPHRUS – PRESENTATION AND REQUEST FOR APPROVAL FOR USE OF G.E.A.R. PROGRAM BY THE DELINQUENT TAX OFFICE: MR. MALPHRUS SAID THAT MS. MOUZON WOULD LIKE TO USE THE G.E.A.R. PROGRAM TO COLLECT DELINQUENT TAXES. MR. MALPHRUS SAID THEY HAVE ADDITIONAL WAYS TO COLLECT THE MONEY THAN THE SET OFF DEBT PROGRAM THEY ARE CURRENTLY USING. MR. MALPHRUS SAID THIS PROGRAM WOULD BE IN ADDITION TO THE SET OFF DEBT PROGRAM. MR. MALPHRUS SAID G.E.A.R. CAN GARNISH WAGES, LEVY BANK ACCOUNTS AND HAVE PART OF THE WAGES WITHHELD. MR. MALPHRUS SAID THE G.E.A.R. PROGRAM CHARGES 28% OF WHAT THEY COLLECT. COUNCILMAN GREGORY SAID THAT IF PEOPLE DO NOT PAY THEIR TAXES THE COUNTY CAN LEGALLY SELL THE PROPERTY. MR. MALPHRUS SAID THEY WERE GOING TO SELL MOBILE HOMES THIS YEAR, BUT THEY HAVE NOT DONE THE BOATS AND MOTORS. COUNCILMAN GREGORY SAID THE COUNTY DROPPED THE BALL BY NOT COLLECTING TAXES ON THE MOBILE HOMES AND THIS WAS SUPPOSED TO BE DONE. MR. MALPHRUS SAID THEY WILL BE SOLD IN NOVEMBER. COUNCILMAN ETHERIDGE ASKED IF THE 28% COULD BE ADDED TO THE AMOUNT OWED AND MR. MALPHRUS SAID IT COULD NOT. COUNCILMAN GREGORY SAID HE WOULD LIKE THIS PROGRAM TO BE RESEARCHED. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO TABLE THE DECISION ON THE G.E.A.R PROGRAM UNTIL IS HAS BEEN FURTHER RESEARCHED. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHIEF GRAHAM – CONSIDERATION OF AMENDING THE LEVY FIRE DEPARTMENT CONTRACT – CHIEF GRAHAM REQUESTED THAT THE COUNTY PAY THE INSURANCE FOR THE TANKER TRUCK THAT THE VOLUNTEERS PURCHASED FOR THE SUB-STATION IN BELLINGER HILL. MR. GRAHAM SAID THEY DO NOT HAVE WATER IN BELLINGER HILL AND THE TANKER WAS NEEDED. MR. GRAHAM SAID THE VOLUNTEERS GAVE THE TRUCK TO THE COUNTY. MR. FULGHUM EXPLAINED THAT THE EQUIPMENT

IS LISTED IN THE FIRE CONTRACT AND IF ANY OTHER EQUIPMENT IS ADDED THE CONTRACT WOULD HAVE TO BE AMENDED. MR. FULGHUM SAID ONLY THE EQUIPMENT LISTED IN THE CONTRACT CAN BE INSURED. COUNCILMAN GREGORY SAID THE MR. MALPHRUS PREVIOUSLY SAID THAT IF A VEHICLE GOES INTO A STATION IT IS COVERED. MR. MALPHRUS SAID THAT DEALT WITH COUNTY EQUIPMENT AND THEY WOULD NEED TO BE ADDED TO THE POLICY. MR. FULGHUM SAID THE CONTRACT WOULD HAVE TO BE AMENDED, IT CANNOT BE DONE VERBALLY. CHIEF GRAHAM SAID THEY ASKED FOR APPROVAL BEFORE THEY MOVED THE TRUCK FROM NEW YORK. MR. GRAHAM SAID THREE COUNCIL MEMBERS WERE POLLED AND HE WAS TOLD IT WAS COVERED. MR. GRAHAM SAID HE WAS NOT ASKING FOR ANY ADDITIONAL MONEY, BUT THAT THE INSURANCE BE PAID FROM HIS CONTRACT. MR. GRAHAM SAID THE COUNTY HAD ALL THE INFORMATION AND THE TRUCK WAS TITLED TO THE COUNTY. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE PAYING FOR THE INSURANCE FOR THE NEW TANKER FROM THE FUNDS ALLOTTED TO THE LEVY CONTRACT. VICE CHAIRMAN BLACKSHEAR ASKED IF IT WAS ONLY FOR THIS VEHICLE OR DID THEY PLAN ON PURCHASING OTHER VEHICLES. CHIEF GRAHAM SAID HE DID NOT THINK THEY WOULD BE PURCHASING ANY MORE. CHIEF GRAHAM SAID THEY PURCHASED THIS TRUCK TO PUT WATER IN BELLINGER HILL AND HE DID NOT FORSEE NEEDING ANY MORE TRUCKS. VICE CHAIRMAN BLACKSHEAR SAID THAT CHIEF GRAHAM TOLD THE COUNCIL IF THEY WOULD GIVE HIM A FIVE YEAR CONTRACT HE WOULD NOT BOTHER THE COUNCIL ANYMORE. CHIEF GRAHAM SAID HE DID NOT THINK IT WAS A BOTHER AND IT WILL NOT COST THE COUNTY ANOTHER PENNY. VICE CHAIRMAN BLACKSHEAR SAID INSURANCE IS NOT FREE. COUNCILMAN ETHERIDGE AND GREGORY VOTED FOR; CHAIRMAN HOOD AND VICE CHAIRMAN BLACKSHEAR VOTED AGAINST.

COMMITTEE REPORTS – COUNCILMAN ETHERIDGE DISCUSSED A REDISTRICTING SEMINAR IN COLUMBIA ON SEPT. 17, 2010 AND HE FELT THE COUNCIL AND THE NEWLY ELECTED COUNCILMEN SHOULD ATTEND. ATTORNEY JONES SAID HE TRIED TO REGISTER AND THE SEMINAR WAS FILLED.

VICE CHAIRMAN BLACKSHEAR SAID HE MET WITH THE HARDEEVILLE FRIENDS OF THE LIBRARY AND HE RECEIVED A LIST OF 20 ISSUES. VICE CHAIRMAN BLACKSHEAR SAID THAT HE WENT TO THE SITE WITH MR. FULGHUM AND MR. TERRY AND NINE OF THE ISSUES HAVE BEEN HANDLED. CHAIRMAN HOOD SAID THE PEOPLE SHOULD HAVE BROUGHT THE ISSUES TO THE STAFF, NOT THE COUNCIL. CHAIRMAN HOOD INSTRUCTED THE ADMINISTRATOR TO CONTINUE TO WORK ON THE PROBLEMS, AND HE FELT THESE ITEMS SHOULD HAVE BEEN DISCUSSED AT BUDGET TIME. CHAIRMAN HOOD SAID THAT A RISK MANAGEMENT COURSE IS BEING OFFERED ON SEPT. 28, 2010 AT SEAWELLS. VICE CHAIRMAN BLACKSHEAR SAID HE WOULD ATTEND.

ADMINISTRATOR'S REPORT – MR. FULGHUM DISCUSSED THE FARMERS MARKET PROPERTY AND INFORMED THE COUNCIL THAT THE LAND HAS NOT

BEEN CONTAMINATED AND THE FLOW IS NOT TOWARDS THE COUNTY PROPERTY; HOWEVER DHEC WILL CONTINUE TO MONITOR THE TANK.

MR. FULGHUM SAID HE RECEIVED REQUESTS FOR LIQUOR SALES ON SUNDAY IN THE COUNTY AND HE ASKED FOR DIRECTION FROM THE COUNCIL.

MR. FULGHUM SAID THE EXISTING PROCUREMENT POLICY ALLOWS THE ADMINISTRATOR TO SPEND UP TO \$5000.00, BUT ALL PROFESSIONAL SERVICE CONTRACTS MUST BE APPROVED BY COUNCIL. MR. FULGHUM SAID THAT THE PLANNING DEPT. ALREADY HAS A LIST OF PROFESSIONALS THAT HAS BEEN APPROVED BY THE COUNCIL AND THE COUNCIL HAS ALREADY APPROVED A FIRM THAT IS UNDER CONTRACT FOR \$2,000.00, BUT THE ADMINISTRATOR STILL HAS TO ASK PERMISSION EACH TIME. MR. FULGHUM ASKED THE COUNCIL TO CONSIDER INCLUDING IN THE PROCUREMENT POLICY THAT IF THE CONTRACT HAS BEEN APPROVED AND THE FUNDS HAVE BEEN APPROVED THAT THE ADMINISTRATOR HAS THE AUTHORITY TO APPROVE THE PROFESSIONAL SERVICE CONTRACT WITHOUT GOING BACK FOR COUNCIL'S APPROVAL. MR. FULGHUM SAID HE HAD A PROFESSIONAL SERVICE CONTRACT FROM THOMAS AND HUTTON IN THE AMOUNT OF \$2,000. THE CONTRACT WILL BE DISCUSSED AT THE WORKSHOP.

THE SCHOOL DISTRICT REQUESTED USE OF A CONFERENCE ROOM IN THE JASPER COUNTY GOVERNMENT BUILDING. CHAIRMAN HOOD APPROVED THE USE OF THE ROOM.

OPEN FLOOR TO THE PUBLIC-3 MINUTE TIME LIMIT PER INDIVIDUAL
CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC.

BARBARA CLARK ASKED HOW VICE CHAIRMAN BLACKSHEAR CAN DENY A REQUEST WHEN THE FUNDS ARE ALREADY ALLOCATED. MS. CLARK SAID CHIEF GRAHAM WAS NOT ASKING FOR MONEY AND SHE FEELS IT IS A PERSONAL PROBLEM BETWEEN VICE CHAIRMAN BLACKSHEAR AND CHIEF GRAHAM. MS. CLARK SAID ALL THEY WANT TO DO IS ADD THE TANKER TO THE CONTRACT AND IT WILL NOT COST ANY MORE MONEY THAN WHAT IS ALREADY ALLOCATED. MS. CLARK SAID REPAIR WORK WAS DONE ON THE LIBRARY THAT MONEY WAS NOT BUDGETED. MS. CLARK STATED THAT THEY WON'T BOTHER HIM, THEY JUST NEED TO DO WHAT IS NEEDED TO PROTECT THE PEOPLE IN BELLINGER HILL. MS. CLARK SAID SHE WAS UPSET AND DISAPPOINTED WITH THE DECISION MADE, AND THAT PEOPLE'S HOME AND LIVES NEED PROTECTED. MS. CLARK SAID SHE DID NOT THINK IT WAS ABOUT BUSINESS, SHE SAID SHE FELT THE DECISION WAS PERSONAL. SHE SAID THEY WILL BE BACK.

CHIEF GRAHAM TOLD CHAIRMAN HOOD THAT HE WAS ONE OF THE THREE COUNCIL MEMBERS POLLED OVER THE PHONE BEFORE THEY WENT TO NEW YORK TO PURCHASE THE TRUCK. CHIEF GRAHAM SAID CHAIRMAN HOOD WAS ASKED BEFORE THE VOLUNTEERS SPENT \$27,000 OF THEIR MONEY TO BUY THE TRUCK. CHIEF GRAHAM SAID HE FELT CHAIRMAN HOOD OWED HIM AN ANSWER. CHIEF GRAHAM ADDED THAT VICE CHAIRMAN BLACKSHEAR WOULD NOT VOTE FOR ANYTHING FOR LEVY.

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 – PROJECT GOLDEN TICKET, PROJECT PF FLYER; 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 – PROBATE JUDGES OFFICE; NEPOTISM; DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSE 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 – 1ST AVE. PROPERTY, RIDGELAND, BEAUFORT COUNTY COMMERCE PARK, FRAMPTON TRACT, GSM/AGAPE/LOWCOUNTY HOSPITAL, INTERGOVERNMENTAL AGREEMENT/SOLICITOR'S OFFICE 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 BUSINESS IN THE AREA SERVED BY A PUBLIC BODY – PROJECT GOLDEN TICKET, PROJECT PF FLYER; 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 – PROBATE JUDGES OFFICE; NEPOTISM; 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 - 1ST AVE. PROPERTY, RIDGELAND, BEAUFORT COUNTY COMMERCE PARK, FRAMPTON TRACT, GSM/AGAPE/LOWCOUNTY HOSPITAL, INTERGOVERNMENTAL AGREEMENT/SOLICITOR'S OFFICE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO OPEN SESSION - VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO RETURN TO OPEN SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN HOOD SAID THE COUNCIL RECEIVED INFORMATION ON THE BEAUFORT/JASPER COMMERCE PARK; ADVICE ON THE PF FLYER AND GOLDEN TICKET PROJECTS; INFORMATION ON THE FRAMPTON TRACT AND GSM/AGAPE/LOWCOUNTY HOSPITAL AND NO ACTION WAS NEEDED.

COUNCILMAN GREGORY MOTIONED AND CHAIRMAN HOOD SECONDED THE MOTION TO INSTRUCT THE ADMINISTRATOR TO MOVE FORWARD AND TO BRING BACK A RECOMMENDATION AND PROPOSAL IN WRITING REGARDING THE SOLICITOR'S OFFICE.

COUNCILMAN ETHERIDGE MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO REJECT THE BID FOR THE CLEMSON BUILDING FROM THE TOWN OF RIDGELAND. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN ETHERIDGE ASKED THAT THEY GET A WRITTEN PROPOSAL REGARDING THE HOURS FOR THE FARMERS' MARKET TO BE OPEN.

CHAIRMAN HOOD SAID THAT THERE WILL BE A SPECIAL CALLED COUNCIL MEETING ON MONDAY, SEPT. 13, 2010 AT 3:30 P.M.

ADJOURN- VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTION TO ADJOURN THE MEETING.

THE MEETING ENDED AT 8:15 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, ccc
CLERK TO COUNCIL

DR. GEORGE M. HOOD
CHAIRMAN

