



**JASPER COUNTY COUNCIL
J.C. GOVERNMENT BLDG.
COUNCIL CHAMBERS
OCTOBER 6, 2014
MINUTES**

5:30 P.M.

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, Building and Planning Coordinator Lisa Lamb, Director of Administrative Services Ronnie Malphrus, Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Planning Director LeNolon Edge

Staff Absent: Judith Frank, Clerk to Council

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 Workshop/Meeting to order at 5:30 p.m.

Executive Session

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 – Brown Campbell, Election Issues, Ridgeland Airport and Waste Management; 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 – Prospect Update; Discussion of 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 – Personnel Matters – Attorney's Office, Tax Collector – Councilman Etheridge moved and Councilman Drayton seconded the motion to go into executive session for the 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 – Brown Campbell, Election Issues, Ridgeland Airport and Waste Management; 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 – Prospect Update; Discussion of 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 – Personnel Matters – Attorney’s Office, Tax Collector. The motion carried with all members present voting in favor.

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

Chairwoman Clark called the meeting back to order at 6:40 p.m.

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

Invocation – Vice Chairman Sauls gave the invocation.

Approval of the Minutes – 09/15/2014- Vice Chairman Sauls moved and Councilman Etheridge seconded the motion to approve the minutes of the 9/15/2014 County Council meeting. The motion carried with all members present voting in favor.

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

Chairwoman Clark announced that the Council agreed not to supplement the amount paid to the poll workers. Chairwoman Clark said the poll workers are paid by the state and it is your civic duty to work the polls. Chairwoman Clark said that some people have worked the polls for a long time and asked the people to not be discouraged and that someone else will do it if they don’t.

Presentation and Proclamations- Proclamation Designating October as National Disability Employment Awareness Month – Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to pass the proclamation designating October as National Disability Employment Awareness month. The motion carried with all members present voting in favor. Chairwoman Clark reminded the public that October was also Breast Cancer Awareness Month.

Ordinances

Marvin Jones – Public Hearing and 3rd Reading of the Ordinance to provide for the installation of certain infrastructure at The Settings of Mackay Point; to make certain findings in connection therewith; to create The Settings Infrastructure Special Fund; to make appropriations from The Settings Infrastructure Special Fund; to provide for the carryover of The Settings Infrastructure Special Fund balances; to provide for the disbursement of said funds; to provide that disbursements shall be made by the County Treasurer; to provide an affirmation of certain previous obligations and expenditures; to provide that expenditures shall not exceed appropriations; to provide that the Treasurer shall sign checks; to provide for the invalidity of any portion of the Ordinance; and to provide an effective date- Mr. Jones explained that there were no changes since the 2nd reading. Chairwoman Clark opened the Public Hearing. There were no comments. Chairwoman Clark closed the Public Hearing. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion that this be the public hearing and 3rd reading of the Ordinance to provide for the installation of certain infrastructure at The Settings of Mackay Point; to make certain findings in connection therewith; to create The Settings Infrastructure Special Fund; to make appropriations from The Settings Infrastructure Special Fund; to provide for the carryover of The Settings Infrastructure Special Fund balances; to provide for the disbursement of said funds; to provide that disbursements shall be made by the County Treasurer; to provide an affirmation of certain previous obligations and expenditures; to provide that expenditures shall not exceed appropriations; to provide that the Treasurer shall sign checks; to provide for the invalidity of any portion of the Ordinance; and to provide an effective date. The motion carried with Chairwoman Clark, Vice Chairman Sauls and Councilmen Etheridge and Drayton voting for. Councilman Johnson abstained because he has an interest in the property. Councilman Etheridge said that the expenditures for the improvements will not exceed the bond money received by the County.

LeNolon Edge – Public Hearing and 2nd Reading of the Ordinance To adopt Section 6-72 of the Jasper County Code of Ordinances so as to waive fees for building permit fees for the reconstruction of buildings demolished by a natural disaster which belong to an eleemosynary entity and which was in active, direct use in support of the mission of that entity at the time that it is demolished and to provide definitions- Chairwoman Clark opened the Public hearing. Mr. J. Chavers asked about the conditions and Mr. Edge read the ordinance and pointed out the changes. Councilman Etheridge said that if anyone wanted a copy of the ordinance to contact the Clerk to Council or the Planning Department. Chairwoman Clark closed the Public Hearing. Councilman Johnson moved and Vice Chairman Sauls seconded the motion to approve the amendments to the ordinance. The motion carried with all members present voting in favor. Councilman Johnson moved and Vice Chairman Sauls seconded the motion that this be the 2nd reading of the Ordinance To adopt Section 6-72 of the Jasper County Code of Ordinances so as to waive fees for building permit fees for the reconstruction of buildings demolished by a natural disaster which belong to an eleemosynary entity and which was in active, direct use in support of the mission of that entity at the time that it is demolished and to provide definitions. The motion carried with all members present voting in favor.

LeNolon Edge - LeNolon Edge –Public Hearing and 2nd Reading of the Ordinance to amend the official zoning map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 080-00-03-021 located on Green Acres Road along Highway 170 from the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map-

Mr. Edge explained that the ordinance has been presented previously and there were concerns about the front of the property. Mr. Edge said the applicant was present and available to answer any questions. Chairwoman Clark opened the Public Hearing. Mr. Tom Morgan said he owned property across the street and they went through this a year ago regarding the firewood business. Mr. Morgan said there is continuous noise and odors and they are using the area as a parking lot for dump trucks. Mr. Morgan said the trucks beep when backings up and make noise until midnight. Mr. Morgan said they crank the trucks up 5:30-6:00 a.m. and it appears to be a staging area for Carolina Morning Firewood. Lara Love said she has been dealing with this situation for months and it is disturbing her peace. She continued that it is noisy and she is concerned about what this property could become if the zoning is changed to commercial. Ms. Love said she is also concerned because this is an illegal use of the property and there have been issues about getting it followed up and something done about it. Tammy Hayes said the property is a dump truck haven and she is concerned about the peace and serenity of this property and she is concerned about how this property will be used. Ms. Hayes said she wanted to spend all her days on her property and is concerned for what they will lose. Marcie Beach said she was under the impression that the firewood business was to leave and but they are still there. Ms. Beach said she grew up in Tillman and purchased her property 20 years ago and she chooses to live on a dirt road. Ms. Beach said they have lost everything, their property value, serenity and it is very disheartening. Ms. Beach said her home is paid for, but she could not give it away now. Tom Morgan said the children have to walk to the bus stop at the end of the road and the dump trucks are traveling that same road. Mr. Dennis said his wife inherited the property in 1977 and this was their investment when they retired. Mr. Dennis said he retired in May and they had the timber cut and they decided to sell. Mr. Dennis said they saw that everyone else's property was zoned general commercial and they want the same zoning as everyone else. Mr. Dennis said he thought the people were confused by the front land that they leased to Carolina Firewood. Mr. Dennis said that lease ended in July, and when he saw the condition of the land he told them to get it cleaned up. Mr. Dennis said the dump trucks are not on his land and he just wants his land zoned commercial like everyone else. Scott Britton said he retired from BJWSA and sold property to Rivers End and paid off Marcie's land. Mr. Britton said it was peaceful and quiet and now he is fighting to keep the peace on the little dirt road where two cars cannot pass. Mr. Britton said this is all about commercial to get more money. Barbara Bartoldus said the County dropped the ball on this and she came to the planning department and reported it. Councilman Etheridge said he looked at the property and it is a mess. Councilman Etheridge moved to table this until the county sees what might happen with this property. Councilman Johnson said he felt Councilman Etheridge had a good point from the opposite perspective and he would like to see the property back in its proper state. Councilman Johnson seconded the motion. Councilman Drayton agreed and Vice Chairman Sauls said he was concerned about the operation taking place on a one lane dirt road and that he would go along with postponing it but the people living there have had sleepless nights for over a year and he believed it is a safety issue and he is against this zoning.

Chairwoman Clark said the Planning Director was sent and notified the owners about getting the property cleaned up and someone must not know what cleaned up means. Chairwoman Clark added that the dump trucks are still there. Chairwoman Clark said the surrounding properties are being devalued. Vice Chairman Sauls said if the property is rezoned to General Commercial, the dump trucks will still be allowed once this property is sold. Mr. Edge said the dump trucks are on the Carolina Morning Firewood Property. Councilman Johnson said that the Dennis property is the only property in the area not zoned General Commercial and it is not fair that he is the odd man out. Councilman Johnson commented about the weakness of enforcement and Mr. Fulghum suggested that the Council inform the staff to notify the community if this comes up. Vice Chairman Sauls told Mr. Edge that if it is an illegal use he wants it taken care of this week. Chairwoman Clark said this needed to be a priority. The motion carried with Vice Chairman Sauls, and Councilmen Etheridge, Drayton and Johnson voting for. Chairwoman Clark voted against.

Andrew Fulghum – Public Hearing and 3rd Reading of the Ordinance to amend the FILOT agreement with Riverport - Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Vice Chairman Sauls moved that this be the public hearing and to defer the 3rd Reading of the Ordinance to amend the FILOT agreement with Riverport. The motion carried with all members present voting in favor.

Ronnie Malphrus – 1st Reading of the Ordinance authorizing a loan from the South Carolina Public Service Authority to Jasper County, South Carolina to finance the construction of an industrial building in the Cypress Ridge Business/Industrial Park for the economic development of Jasper County; authorizing the execution and delivery of an intergovernmental loan agreement between the South Carolina Public Service Authority and Jasper County and a promissory note from Jasper County to the South Carolina Public Service Authority related thereto; and other matters relating thereto (By title only)- Mr. Malphrus explained the location of the building and the plan for funding the construction. Councilman Etheridge moved and Vice chairman Sauls seconded the motion that this be the 1st Reading of the Ordinance authorizing a loan from the South Carolina Public Service Authority to Jasper County, South Carolina to finance the construction of an industrial building in the Cypress Ridge Business/Industrial Park for the economic development of Jasper County; authorizing the execution and delivery of an intergovernmental loan agreement between the South Carolina Public Service Authority and Jasper County and a promissory note from Jasper County to the South Carolina Public Service Authority related thereto; and other matters relating thereto (By title only. The motion carried with all members present voting in favor.

Andrew Fulghum – 1st Reading of the Ordinance to establish a Multi-County Park Agreement for Point South (by title only) –Councilman Johnson moved and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance to establish a Multi-County Park Agreement for Point South (by title only). The motion carried with all members present voting in favor.

Resolutions

Andrew Fulghum – Public Hearing and Resolution in support of the issuance by the South Carolina jobs-economic development authority of its revenue bonds or notes (Bishop of Charleston) in one or more series and in one or more years, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$25,000,000 – Mr. Fulghum explained that a public hearing was needed for this resolution. Chairwoman Clark opened the public hearing. There were no comments. Vice Chairman Sauls moved and Councilman Drayton seconded the motion that this be the public hearing and to approve the Resolution in support of the issuance by the South Carolina jobs-economic development authority of its revenue bonds or notes (Bishop of Charleston) in one or more series and in one or more years, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$25,000,000. The motion carried with all members present voting in favor.

Andrew Fulghum – Resolution to Authorize the Jasper County Administrator to negotiate and acquire properties for the Ridgeland Airport Capital Improvement Project – Councilman Etheridge moved and Councilman Drayton seconded the motion to pass the Resolution to Authorize the Jasper County Administrator to negotiate and acquire properties for the Ridgeland Airport Capital Improvement Project. The motion carried with all members present voting in favor.

Old Business

Andrew Fulghum- Appointment of ten members to the Jasper County Human Affairs Resource Committee- This item was deferred until the next meeting.

New Business

Ronnie Malphrus – New World System Software Interface – Mr. Malphrus said that if the interface software from New World was approved, it would cut out a lot of manual work for the detention center. Mr. Malphrus asked for \$18,000 to build the interface now. Mr. Malphrus said if they waited to build the interface, it would cost more. Mr. Malphrus said he can come up with \$9,000 and they were looking for additional funds. Mr. Malphrus asked for approval of the \$18,000 and \$9,000 is already covered. Councilman Johnson moved and Councilman Etheridge seconded the motion to approve the request for the New World System Software Interface. The motion carried with all members present voting in favor.

Marvin Jones – Update on State Law regarding Synthetic Marijuana (SPICE) – Mr. Jones explained that this has already been handled by the State and said it was not necessary for the County to do anything.

Committee Reports – **Councilman Etheridge** reported that he attended a workers comp. meeting in Columbia and he attended the airport meeting. Councilman Etheridge discussed the Garvin Road situation and the road will remain closed. Councilman Etheridge said he would like to see a resolution passed that County can take over the road before the State closes it. **Vice Chairman Sauls** reported that he attended meeting in Hardeeville and he met with Mayor

Bostick. Vice Chairman Sauls said he reviewed the School Board expenditures and he was concerned about the amount of money being spent on travel and attorneys. Vice Chairman Sauls said he also attended the Justin Baker Golf Tournament. **Councilman Johnson** said he also attended the workers comp. meeting and he felt that he received valuable information. Councilman Johnson said he attended the New World Interface meeting with the solicitor. Councilman Johnson said he attended the Home Builders Association event and discussed the port. **Councilman Drayton** said he attended a community meeting and he thought it was improper to talk about the School Board without knowing why the money was spent. Chairwoman Clark said the public needs to know what the school board is spending. Chairwoman Clark said she attended the same meetings

Administrator's Report – Mr. Fulghum provided information regarding the Multi-County Park and he thanked Palmetto Electric Co-op for their help. Mr. Fulghum provided an update on the state infrastructure. Mr. Fulghum informed the Council that Mr. Bostick has reviewed the website project and it should be started in about 3-4 weeks. Mr. Fulghum said they cut the VC3 contract costs but were able to keep all the services. Mr. Fulghum said when Mr. Bostick was hired the County had 30 servers and now the County has 47 servers.

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. **Richie Reed** requested that November of this year and all future years be proclaimed Matthew and Thelma West month. Ms. Reed provided information on Matthew and Thelma West. Being no further comments, Chairwoman Clark closed the floor to the public.

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

The meeting ended at 8:25 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Barbara B. Clark
Chairwoman