



JASPER COUNTY COUNCIL
358 THIRD AVE., RIDGELAND SC. 29936

COUNCIL CHAMBERS

October 15, 2012

MINUTES

6:00 P.M.

Officials Present: Chairman Samuel Gregory, Vice Chairman Martin Sauls IV, Councilman LeRoy Blackshear, Councilman Henry Etheridge, Councilman Theodus Drayton

Staff Present: Administrator Andrew Fulghum, Deputy Administrator Dr. George Hood, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Engineering Services Dale Terry, Director of Emergency Services Wilbur Daley, 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- Chairman Gregory called the meeting to order at 6:00 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 – Development And Host Agreement With Waste Management; Brown Campbell; Consulting Services; Property In Town Of Ridgeland - Vice Chairman Sauls motioned 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 – development and host agreement with Waste Management; Brown Campbell; consulting services; property in town of Ridgeland. The motion carried with all members present voting in favor.

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

7:00 P.M.

Pledge of Allegiance – Chairman Gregory led the pledge of allegiance.

Invocation – Councilman Drayton gave the invocation.

Approval of the Agenda – Vice Chairman Sauls motioned and Councilman Etheridge seconded the motion to approve the agenda. The motion carried with all member s present voting in favor.

Approval of the Minutes from 10/1/2012, 10/3/2012, and 10/5/2012 - Councilman Etheridge motioned and Vice Chairman Sauls seconded the motion to approve the minutes of 10/1/ 2012, 10/3/2012, 10/5/2012. The motion carried with all members present voting in favor.

Proclamations and Presentation - Rudy Curtis – Presentation of Solid Waste Management Plan Ordinance: Mr. Curtis explained that his firm was hired to assist with the revision of Solid Waste Management Plan of 1994. Mr. Curtis said that the plan is for twenty years and it is written as to how to handle waste and how to improve recycling. Mr. Curtis said that DHEC reviews all plans for expansion of a facility to see if it is consistent with the Solid Waste Management Plan. Mr. Smith said it is clear in the plan what the County’s needs are so that DHEC can make a decision. Mr. Smith said the plan needs to be updated and written to stand up to a legal stand. Vice Chairman Sauls asked if the 20 year plan is part of the statute and can it be adjusted. Mr. Curtis said it is part of the statute and the plan has to always cover 20 years. Councilman Drayton asked if the current plan was only for Jasper County. Mr. Curtis responded that the plan was just for Jasper County is in the process of removing itself from the regional plan. Councilman Drayton asked if Mr. Fulghum and the staff assisted with the plan and Mr. Curtis said they did. Councilman Etheridge asked if it was mandatory for every county to have a 20 year plan. Mr. Curtis said all counties must have a 20 year plan and it also covers the municipalities. Chairman Gregory asked about changing the plan. Mr. Curtis said the plan can be changed at any time if needed and they must notify DHEC of the changes.

LeNolon Edge- 1st Reading Of The Ordinance For A Zoning Map Amendment Industrial Development For Waste Management Of South Carolina, Inc. Jasper County Tax Map Number 0811-00-02-004- Mr. Edge explained that the zoning map amendment has been requested for 127 acres along Hwy. 462 and Snake Road. Mr. Edge the recommendation from the Planning Commission is included in the information provided to Council. Vice Chairman Sauls motioned and Councilman Drayton seconded the motion that this be the 1st Reading Of

The Ordinance For A Zoning Map Amendment Industrial Development For Waste Management Of South Carolina, Inc. Jasper County Tax Map Number 0811-00-02-004. The motion carried with all members present voting in favor.

LeNolon Edge – 1st Reading Of The Ordinance To Approve The Master Plan Review For Center Point

PDD – John Paul II Catholic School – Mr. Edge explained that the master plan was for approximately 30 acres along Hwy. 462 and Hwy. 170. Mr. Edge said that the master plan is for a Catholic School to be located in Center Point. Vice Chairman Sauls said he supported the opportunity to enhance the educational system for the region and to help education. Councilman Drayton said he would like to hear from the developer. Mr. Rumble, representing the school committee told the Council that campus would cover over 70 acres, but the master plan being presented only covers the 30 acres in Phase I. Mr. Rumble said there would initially be only one building for the high school covering grades 7-12. Mr. Rumble said they wanted to start on Phase I as soon as possible. Mr. Rumble said he school will serve the entire Lowcountry region and it will include a full athletic program and extracurricular activities. Chairman Gregory asked who made the decision to locate the school in Jasper County. Mr. Rumble said that there was various criteria, the great location being geographically in the center of the region they wanted to serve. Chairman Gregory asked how long would it take to build and Mr. Rumble said that Phase I should start very quickly and the school should be ready to open at the start of the next school year. Councilman Etheridge asked if there was any access to the campus from Hwy. 462 and Mr. Rumble said there was not, they would access the school off of Hwy. 170. Vice Chairman Sauls motioned and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance to Approve the Master Plan Review for Center Point PDD – John Paul II Catholic School. The motion carried with all members present voting in favor.

Andrew Fulghum – 1st Reading of the Ordinance to Approve the Jasper County Solid Waste Plan (By Title Only) – Mr. Fulghum explained that the Solid Waste Plan Ordinance was not complete, but he asked that the Council have the 1st Reading by title only. Councilman Drayton motioned and Vice Chairman Sauls seconded the motion that this be the 1st Reading of the Ordinance to Approve the Jasper County Solid Waste Plan (By Title Only). The motion carried with all members present voting in favor.

Andrew Fulghum – 1st Reading of the Ordinance to Adopt A Development Agreement between Jasper County and Waste Management - Mr. Fulghum said the ordinance was to approve a Development Agreement with Waste Management for 127.47 acres located on Snake Road. Mr. Fulghum said that Waste Management was requesting the 1st reading and for the Council to approve the Development Agreement. Vice Chairman Sauls motioned and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance to Adopt a Development Agreement between Jasper County and Waste Management. Vice Chairman Sauls commented that by having the 1st reading it allows the Council to start the process and become more informed about the Development Agreement and the Council will have a workshop. Councilman Drayton added that this is only the 1st reading and the workshop

will explain everything about the agreement. Councilman Etheridge said there will also be Public Hearings on this. The motion carried with all members present voting in favor.

Resolutions - Andrew Fulghum – Resolution to Adopt a List of Positions Designated as Safety Sensitive as Provided for in the Jasper County Personnel Policy and Procedure Manual to Be Attached To the Manual – Mr. Fulghum said the resolution will adopt a list of position and it will be made part of the personnel policy and the procedure manual. Mr. Fulghum said this resolution would allow random drug testing at any time for the positions being approved. Councilman Etheridge motioned and Vice Chairman Sauls seconded the motion to pass the Resolution to Adopt a List of Positions Designated as Safety Sensitive as Provided for in the Jasper County Personnel Policy and Procedure Manual to Be Attached To the Manual. The motion carried with all members present voting in favor.

Old Business - Appointment to Library Board and Update from Beth McNeer – Ms. McNeer introduced the new member of the Library Board and asked the Council to appoint one more member. Ms. McNeer introduced Leslie Jones-Hart, J. W. Badger, Elaine Kreiling, and asked the Council to appoint Maureen Pihonak. Councilman Etheridge motioned and Councilman Drayton seconded the motion to appoint Maureen Pihonak to the library board. The motion carried with all members present voting in favor.

New Business: -Ronnie Malphrus – Approval of Bids for Gravel for Sgt. Jasper Park Trails- Mr. Malphrus presented the bids for the walking trail that connects the Hardeeville School Campus to the Sgt. Jasper Park. Mr. Malphrus said the board walk is almost complete and crush and run and plantation gravel was needed. Mr. Malphrus said the low bid was in the amount of \$13,436.28 from Murray Sand in Summerville. Mr. Malphrus said the County has an \$11,000 grant and the balance would come from the Parks and Recreation Department Budget. Councilman Blackshear motioned and Vice Chairman Sauls seconded the motion to approve the bid \$13,436,28 from Murray Sand in Summerville and that it be paid from the 11,000 grant and the balance would come from the Parks and Recreation Department Budget. The motion carried with all members present voting in favor.

Andrew Fulghum – Professional Service Contract for Site Certification Renewal of Cypress Ridge Business Industrial Park (CRBIP) - Mr. Fulghum presented a proposal to renew the certification of the CRBIP. Mr. Fulghum listed the various industrial parks in the County that are being certified. Mr. Fulghum said the contract to recertify CRBIP to the current standards in the amount of \$40,150 from Alliance Consulting Engineering and there is a \$5,500 fee for the final review. Mr. Fulghum said this would be paid for from the RDA Development Funds. Councilman Drayton motioned and Vice Chairman Sauls seconded the motion to approve the Professional Service Contract for Site Certification Renewal of Cypress Ridge Business Industrial Park from Alliance Consulting Engineering in the amount of \$40,150 and the \$5,500 fee for the

final review and that it would be paid for from the RDA funds. The motion carried with all members present voting in favor.

Committee Reports- Councilman Etheridge announced that the bids for the Fire Tower Fire Station went out on Thursday of last week. Vice Chairman Sauls congratulated Mr. Fulghum and Mr. Richardson on the Park Certifications. Vice Chairman Sauls said that prospects are looking at the County and he hoped to have an announcement soon. Vice Chairman Sauls informed the public of the events being hosted by the Chamber of Commerce. Chairman Gregory thanked the Governor for visiting the County and that she is in support of the Port in Jasper County.

Administrator's Report – Mr. Fulghum said he provided the reports in the Council's packets for information. Mr. Fulghum said the Council authorized \$52,000 for a fire study and they received 5 proposals, but a contract was not awarded. Mr. Fulghum asked to move the money to the Commercial Development Fund. Mr. Fulghum said the EMS needed funding for phones at EMS and he requested that the Council approve \$10,000 of those funds for the phones. Councilman Etheridge asked how old was the phone system and Mr. Malphrus said the phones are not included and the money would be used for infrastructure. Mr. Malphrus said they already have the phones and they were paid for with a grant. Chairman Gregory asked how long have the phones be sitting around. Mr. Malphrus said they have had the phones a little over a year. Vice Chairman Gregory asked if IT can make it work and Mr. Malphrus said they can. Mr. Malphrus said they received grant money for the phones, but not the infrastructure. Councilman Drayton motioned and Vice Chairman Sauls seconded the motion to approve an amount not to exceed \$10,000 for the phone infrastructure at EMS. Chairman Gregory said the current phone system is 15 years old and he wanted to know why this was not done sooner. Mr. Malphrus said it was cut from the budget last year. 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 Meeting On Matters Pertaining To County Services And Operations. Presentations Will Be Limited to Three (3) Minutes (Total Public Input Will Be Limited to 30 Minutes) – Chairman Gregory opened the floor to the public. **Ms. Johnny Dopson** told the Council that the senior citizens are being taxed and she asked what can the Council do to help. Ms. Dopson said some people are trying to live on \$7,000 per month. Ms. Dopson said from 2008-2012 there has been an increase of 103 mils. Ms. Dopson said a lot of people are facing foreclosure and the \$25 per vehicle is another hardship on the citizens. Chairman Gregory asked Mr. Fulghum to contact Ms. Dopson. **Barbara Bartoldus** asked why a workshop was needed for the Waste Management Development Agreement. Ms. Bartoldus said this has been going for 15 years and the Planning Commission unanimously turned it down. Ms.

Bartoldus said the Comprehensive plan is very specific and she said she was very upset that the county didn't discuss this and are just trying to push it through. Ms. Bartoldus said 90% of the trash will be coming from Beaufort County. Chairman Gregory thanked Ms. Bartoldus for her comments and said that the Council will have all the facts before they do anything. Ms. Bartoldus asked why the Planning Commission was involved and said that the Planning Commission turned it down unanimously. Chairman Gregory invited Ms. Bartoldus to the workshop. **Rob MCBRAYER** – discussed the traffic on Snake Road and Hwy. 462 and the additional traffic that will be generated by a new Waste Management Facility. Mr. McBrayer said the roads need widened or they were just asking for accidents. Mr. McBrayer said the Planning Commission turned this request down. **Russ Hightower** – Mr. Hightower said he works for Waste Management and a lot of the citizens of Jasper County work there too. Mr. Hightower recognized the Waste Management employees who were present at the meeting. Mr. Hightower said he felt as the citizens learned more about the project, they would become more comfortable with it. Chairman Gregory closed the floor to the public.

Adjourn – Councilman Drayton motioned and Councilman Etheridge seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 8:00 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Rev. Samuel Gregory
Chairman