

**JASPER COUNTY COUNCIL
MARY GORDON ELLIS EXECUTIVE BUILDING
DEVELOPMENT SERVICES COMMITTEE
COUNCIL OFFICE
OCTOBER 18, 2007
10:00 A.M.**

OFFICIALS PRESENT:

CHAIRMAN LEROY BLACKSHEAR, COUNCILWOMAN GLADYS JONES, ANDREW FULGHUM- ADMINISTRATOR, 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.

AIRPORT:

MR. FULGHUM EXPLAINED THAT MR. DEAN WAS PRESENT TO DISCUSS THE COUNTY AIRPORT. MR. DEAN SAID THAT HE WAS GOING TO MEET WITH THE PILOTS TO SEE IF THEY WOULD BE WILLING TO REGISTER THEIR PLANES IN JASPER COUNTY IF THE COUNTY LOWERED THE TAXES FROM 10% TO 4%. MR. FULGHUM SAID THE TOWN OF RIDGELAND WOULD LIKE THE COUNTY TO ANNEX THE AIRPORT INTO THE TOWN. MR. FULGHUM SAID THE TOWN OF RIDGELAND OFFERED A SURPLUS VEHICLE THAT THEY HAD TO THE AIRPORT IF IT ANNEXED INTO THE TOWN. MR. DEAN SAID THERE WERE TWO PARCELS OF LAND THAT THE COUNTY SHOULD CONSIDER ACQUIRING AS THEY IMPACT THE AIRPORT. MR. DEAN SAID THE PROPERTY ABUTTS THE AIRPORT. HE SAID LINDA JONES WAS CONTACTED AND SHE SAID SHE DID NOT WANT TO SELL HER LAND, AND THE OTHER PARCEL IS OWNED BY MR. BEDELL. COUNCILMAN BLACKSHEAR ASKED ABOUT EXTENDING THE RUNWAY AND MR. DEAN SAID IT WAS NOT POSSIBLE AT THIS LOCATION. MR. DEAN SAID THE STATE WOULD LIKE A REGIONAL AIRPORT HERE, BUT THERE IS NO FINANCING. MR. DEAN SAID HE IS CURRENTLY WORKING ON SAFETY ISSUES AT THE AIRPORT. MR. FULGHUM SAID THAT EVEN WITH STATE SUPPORT IT WOULD TAKE 10 YEARS FOR IT TO HAPPEN. MR. DEAN SAID THE CURRENT AIRPORT IS NOT ADEQUATE FOR HOW QUICKLY THE COUNTY IS GROWING. MR. FULGHUM SAID THE COUNTY NEEDED TO LOOK INTO PURCHASING PROPERTY MR. DEAN SUGGESTED. COUNCILMAN BLACKSHEAR ASKED IF THE PROPERTY COULD BE CONDEMNED IF THE PEOPLE WOULD NOT SELL. MR. FULGHUM SAID THE TOWN ALSO HAS THAT OPTION OR PERHAPS THEY COULD PURCHASE IT AND SHARE THE EXPENSE IF IT IS ANNEXED. MR. FULGHUM SAID THE SCHOOL SITE IS BEING

ANNEXED INTO THE TOWN. MR. DEAN SAID HE WOULD CHECK INTO THE ANNEXATION AND MEET WITH THE PILOTS. MR. FULGHUM SAID HE WAS WORKING ON A DRAFT ORDINANCE WITH ATTORNEY JONES TO REDUCE THE TAXES ON AIRCRAFT AND THAT THE STAFF WILL CONTINUE APPLYING FOR GRANTS. MR. FULGHUM SAID HE WOULD PROVIDE THE COUNCIL WITH A SPREADSHEET ON THE TAXES FROM 4% TO 10% WHEN HE PRESENTED THE ORDINANCE. MR. DEAN SAID THE FAA WANTS TO KNOW THE PLANS FOR THE AIRPORT OVER THE NEXT FIVE YEARS. THE COMMITTEE THANKED MR. DEAN FOR HIS LOYAL SERVICE AT THE AIRPORT. MR. DEAN SAID THERE ARE CURRENTLY 45 HANGERS AND 60 AIRPLANES LOCATED AT THE AIRPORT. CHAIRMAN BLACKSHEAR ASKED IF A PERSON COULD TAKE FLYING LESSONS IF THEY DID NOT OWN A PLANE AND MR. DEAN SAID THAT SERVICE WAS NOT AVAILABLE. MR. DEAN SAID LESSONS WERE AVAILABLE IF A PERSON OWNED A PLANE.

THE COMMITTEE DISCUSSED THE AERONAUTICS BOARD AND MR. DEAN SAID THAT MR. BORME IS NOT ACTIVE, BUT MR. PINCKNEY HELPS OUT A LOT.

COURTHOUSE RENOVATION:

MR. FULGHUM SAID THE SANDERS TATE CONTRACT HAD TO BE APPROVED AS IT WAS NOT APPROVED WITH THE FIRST CONTRACT. MR. FULGHUM SAID THERE WERE THREE THINGS HOLDING THE PROJECT UP AND THEY WERE THE OCRN PERMIT FROM DHEC, THE CLOSING OF JASPER STREET AND THE CONSENT FROM THE OWNERS OF THE ABUTTING PROPERTY. MR. FULGHUM SAID HE WAS NOT SURE, BUT ALL THE PROPERTY OWNERS ABUTTING OR ADJOINING HAVE TO SIGN OFF AND THEY ALL HAVE EXCEPT FOR THE TOWN OF RIDGELAND AND SCDOT. MR. FULGHUM SAID THAT LEGAL FILING IS BEING TAKEN CARE OF AND ONCE EVERYTHING IS SIGNED IT GOES TO COURT AND MS. BOSTICK SAID SHE CAN HANDLE GETTING IT HEARD IN A TIMELY MANNER. COUNCILWOMAN JONES ASKED IF THE COUNTY HAS GOTTEN THE DEED TO THE PROPERTY THAT THE BAR ASSOCIATION PROMISED TO THE COUNTY. MR. FULGHUM RESPONDED THAT THE COUNTY HAS NOT RECEIVED THE DEED AND HE WOULD FOLLOW UP AND CHECK ON THE STATUS OF THE TRANSFER. MR. FULGHUM SAID PARKING IS A PROBLEM ON 3RD STREET SINCE ONE SIDE CAN DO PULL IN PARKING, BUT THE OTHER SIDE ONLY PARALLEL PARKING IS ALLOWED. MR. FULGHUM SAID HE IS NEGOTIATING WITH SCDOT ABOUT ACQUIRING 2ND AVE. AND 3RD STREET FROM RUSSELL STREET TO THE JASPER ST. MR. FULGHUM SAID THAT DUE TO TRAFFIC AND PARKING THE COUNTY NEEDS TO HAVE THOSE ROADS. COUNCILWOMAN JONES ASKED ABOUT THE PARKING AT THE PERRY HOUSE AND CHAIRMAN BLACKSHEAR SAID HE WAS NOT SURE HOW THE PARKING WAS DESIGNED AT THE PERRY HOUSE.

PASS THROUGH BONDS:

MR. FULGHUM DISCUSSED JETTA (SC JOBS ECONOMIC DEVELOPMENT AUTHORITY) BONDS AND THAT THE STATE HAS A PROGRAM AND BUSINESSES CAN QUALIFY FOR TAX EXEMPT BONDS. MR. FULGHUM SAID THE COUNTY MUST HOLD A PUBLIC HEARING OR NOTICE AND PASS A RESOLUTION IN SUPPORT OF THE BONDS, BUT THERE IS NO FINANCIAL OBLIGATION TO THE COUNTY. MR. FULGHUM INFORMED THE COMMITTEE THAT WASTE MANAGEMENT WANTED TO APPLY FOR THE JETTA BONDS.

BUSINESS LICENSE:

MR. FULGHUM DISCUSSED TWO COMPANIES WHO HAVE PAID THEIR BUSINESS LICENSE FEE UNDER PROTEST. THE REASON FOR FILING UNDER PROTEST IS BECAUSE THE FEE IS BASED ON GROSS RECEIPTS AND THE COMPANIES ARE STATING THEY ARE ALSO PAYING A FEE ON THOSE RECEIPTS IN ANOTHER COUNTY AND THEY SHOULD BE ABLE TO DEDUCT THAT AMOUNT. MR. FULGHUM SUGGESTED THAT BEFORE THESE INDIVIDUALS COME BEFORE COUNCIL THAT HE RESEARCH HOW THE FEES ARE APPLIED AND THE COUNCIL IS GIVEN A PRESENTATION OF THE PROCEDURE. MR. FULGHUM SAID ATTORNEY JONES IS REVIEWING THE ORDINANCE.

ZONING CHANGE:

MR. FULGHUM UPDATED THE COUNCIL ON THE SUNTRUST PROPERTY ON HIGHWAY 462 AND THAT THE OWNERS WANT TO COME TO COUNCIL AND REQUEST A ZONING CHANGE. THE COUNCIL APPROVES ALL ZONING CHANGES BASED ON THE RECOMMENDATION OF THE PLANNING COMMISSION, HOWEVER, THE TIME PERIOD FOR THE PLANNING COMMISSION TO REVIEW THE CASE HAS EXPIRED, AND THE OWNERS CAN COME DIRECTLY TO COUNCIL. MR. FULGHUM RECOMMENDED THAT THE COUNCIL HEAR THIS REQUEST AFTER THE NEW ZONING IS APPROVED. COUNCILWOMAN JONES SAID THE PLANNING COMMISSION MISSED THE WINDOW FOR APPROVAL AND THE PLANNING COMMISSION DID RECEIVE LETTERS FROM 25 RESIDENTS WHO DID NOT WANT THE AREA IN QUESTION REZONED COMMERCIAL. COUNCILWOMAN JONES SAID ONLY 1 INDIVIDUAL DID NOT HAVE A PROBLEM WITH THE ZONING CHANGE. VICE CHAIRMAN JONES SAID THAT PERHAPS THE RESIDENTS WOULD NOT OBJECT TO COMMUNITY COMMERCIAL. MR. FULGHUM SAID THE LAND USE MAP DOES NOT REFLECT COMMUNITY COMMERCIAL. MR. FULGHUM'S RECOMMENDATION WAS TO NOT MOVE FORWARD UNTIL THE NEW ZONING WAS IN PLACE AND THAT WAY THE PEOPLE WOULD HAVE THE OPPORTUNITY TO GO THROUGH THE PROCESS WITH THE PLANNING COMMISSION BEFORE IT COMES TO COUNCIL. MR. FULGHUM SAID THE NEW ZONING PUTS A BETTER HANDLE ON WHAT IS BEING DONE. COUNCILWOMAN JONES SAID SOME GOOD CHANGES HAVE BEEN MADE TO THE ZONING ORDINANCE AND THE ZONING MAP AND IF IT IS PASSED THERE ARE WAYS TO CORRECT WHAT NEEDED TO BE CORRECTED.

MR. FULGHUM REVIEWED THE SCHEDULE OF MEETINGS DEALING WITH THE ZONING ORDINANCE.

SHRIMP PONDS:

MR. FULGHUM INFORMED THE COMMITTEE THAT DHEC HAS APPROVED THE PERMIT FOR THE NEW OWNERS OF THE SHRIMP PONDS AND THEY CAN MOVE FORWARD, HOWEVER, THE ENGINEERING IS NOT COMPLETE. MR. FULGHUM SAID THAT ATTORNEY BENNETT ASKED TO BE NOTIFIED AND MR. FULGHUM SAID HE WOULD CONTACT HIM. COUNCILWOMAN JONES SAID IT CAN'T BE STOPPED BECAUSE OF THE OLD ZONING AND THAT IS WHY THE NEW ZONING ORDINANCE IS SO IMPORTANT.

MISCELLANEOUS ITEMS:

TAXES AND SOFTWARE:

MR. FULGHUM SAID THAT DUE TO THE CHANGE IN MR. SAGER'S POSITION HE (MR. FULGHUM) HAS BEEN CATCHING UP ON SOME OF THE ISSUES IN DEVELOPMENT SERVICES.

MR. FULGHUM SAID THAT THE RESIDENTS IN HAMPTON POINTE HAVE BEEN COMPLAINING ABOUT THEIR TAXES AND THE SALES STAFF WAS NOT CALCULATING THEM PROPERLY. MR. FULGHUM SAID THE STAFF HELD A WORKSHOP WITH THE HAMPTON POINTE SALES STAFF TO GO OVER THE CALCULATION OF THE PROPERTY TAX AND HE PLANS ANOTHER WORKSHOP FOR THE SALES STAFF FROM TRADITONS AND HILTON HEAD LAKES. MR. FULGHUM SAID THERE ARE THREE LEVELS OF TAX IN THE DEVELOPMENTS AND THEY ARE COUNTY TAX, MUNICIPALITY TAX AND THE MUNICIPALITY IMPROVEMENT DISTRICT TAX. MR. FULGHUM SAID THAT HE WAS WORKING TOWARD HAVING THE COUNTY DOING ALL THE TAX BILLING, BUT SMITH DATA IS NOT EQUIPPED TO HANDLE THREE TIER TAXATION. MR. FULGHUM SAID HE WAS GETTING BIDS ON NEW SOFTWARE AND THE SOFTWARE CAN BE PAID WITH FUNDS FROM THE MUNICIPALITIES IMPROVEMENT DISTRICT TAX.

BUTTERFLY KINGDOM:

MR. FULGHM STATED THAT HE MET WITH MR. NORTH AND THEY WERE STILL WORKING ON GETTING THINGS RESOLVED.

DELTA BLUFFS:

MR FULGHUM SAID THAT THE DA AND THE PDD HAVE BEEN APPROVED AND THE DA IS FLEXIBLE AND THEY WANT TO SELL THE PROPERTY AND THEY PLAN TO MAKE MORE INDUSTRIAL BECAUSE OF THE PORT. MR. FULGHUM SAID THE CHANGE FROM RESIDENTIAL TO COMMERCIAL IS A GOOD THING FOR THE COUNTY AND HE BELIEVED THE PDD WOULD ALLOW THAT AND THE DA MAY NEED TO BE REVISED AND BROUGHT BACK TO COUNCIL.

NEW RIVER AUTOMALL AREA:

MR. FULGHUM SAID THE DEVELOPMENT IS IN A PDD THAT IS NOT IN EXISTENCE AND A PDD WILL BE REQUIRED FOR A DEAL TO BE MADE. COUNCILWOMAN JONES SAID THE DEALS WERE MADE AND CONTRACTS WERE SIGNED AND HOW CAN THE COUNTY GO BACK ON THAT. MR. FULGHUM SAID THE HARD FACTS ARE NOT ABOUT WHAT CAN BE DEVELOPED, BUT THE FEES THAT NEED TO BE PAID. COUNCILWOMAN JONES SAID THAT THE DEVELOPERS ALSO BENEFITTED FROM THE FEE IN LIEU OF TAXES. MR. FULGHUM SAID A NEW ARRANGEMENT IS NECESSARY BECAUSE IT IS A NEW DAY AND SOME SORT OF DEAL NEEDS TO BE MADE.

SCHOOL BOARD:

MR. FULGHUM SAID THAT HE HAD A PRODUCTIVE MEETING WITH DR. SANDFORD REGARDING THE DEVELOPER FEES AND SCHOOLS. MR. FULGHUM SAID THAT HE NEEDED TO MEET WITH TONY MAGLIONE TO SEE WHERE THE TRIGGER NEEDS TO BE PUT INTO THE DEVELOPMENT AGREEMENTS AS TO THE NUMBER OF HOMES NEEDED TO REQUIRE MORE SCHOOLS. MR. FULGHUM SAID THAT THIS STUDY WOULD BE PAID FOR JOINTLY BETWEEN THE COUNTY AND THE SCHOOLS. MR. FULGHUM SAID THE WAY THE AGREEMENTS ARE WRITTEN THE FUNDS GO TO THE ENTITIES BANK ACCOUNT AND THE COUNTY NEEDS TO BE INVOLVED.

HILTON HEAD LAKES:

COUNCILMAN BLACKSHEAR ASKED ABOUT HILTON HEAD LAKES AND MR. FULGHUM INFORMED HIM THAT 500 UNITS ARE PROJECTED AND THE DEVELOPMENT IS LOCATED ACROSS FROM TRADITIONS. MR. FULGHUM SAID THAT A MAJOR LAKE WILL ALSO BE PART OF THE DEVELOPMENT.

CYPRESS RIDGE BUSINESS/INDUSTRIAL PARK PROJECT STICKY:

COUNCILWOMAN JONES ASKED WHY THE COMPANY NEEDED 6 ACRES AND MR. FULGHUM SAID THAT HE REVIEWED THE CONTRACT AND SENT IT BACK TO THE BUYERS FOR 3 ACRES WITH AN OPTION FOR THE OTHER 3 ACRES. COUNCILWOMAN JONES SAID A TIME LIMIT ON THE OPTION SHOULD BE INCLUDED IN THE CONTRACT. MR. FULGHUM SAID THE COMPANY IS CHANGING FROM MR. LABEL TO CYPRESS RIDGE, PARTNERS LLC AN ILLIONIS LIMITED LIABILITY COMPANY. COUNCILWOMAN JONES ASKED WHY THE COUNTY WAS PAYING A 10% COMMISSION ON THIS SALE OF THIS PROPERTY. MR. FULGHUM SAID THE CONTRACT WAS JUST GIVEN TO HIM AT THE LAST MEETING AND HE AGREED THAT THE SIZE OF THE PROPERTY SHOULD BE AN OPTION. COUNCILWOMAN JONES SAID THE LAND WOULD BE SOLD FOR LESS THAN \$10,000.00 PER ACRE AND THE CONTRACT SAID THE COUNTY (THE SELLER) WOULD HAVE TO PAY A COMMISSION. MR. FULGHUM SAID THE DEAL IS NOT COMPLETED YET AS THE COUNTY HAS NOT HAD THE 3RD READING. CHAIRMAN

BLACKSHEAR AGREED THAT THE COUNTY SHOULD NOT HAVE TO PAY A REAL ESTATE COMMISSION. MR. FULGHUM SAID HE SIGNED A CONTRACT WITH THE REAL ESTATE COMPANY REGARDING THE COMMISSION AND THE COMMISSION WOULD BE PENDING UPON THE COUNCIL'S DECISION. COUNCILWOMAN JONES SAID SHE FELT THE PURCHASER SHOULD APPEAR BEFORE COUNCIL LIKE THE OTHER BUYERS HAVE DONE IN THE PAST. CHAIRMAN BLACKSHEAR SAID THE ORIGINAL MR. LABEL WAS LOCATED ON HWY. 46 IN BLUFFTON AND THESE PEOPLE ARE NEW OWNERS AND NOT THE ORIGINAL OWNERS OF MR. LABEL. COUNCILWOMAN JONES SAID SHE ASKED FOR A BUSINESS PLAN AND WHAT THEY COUNCIL RECEIVED ON MONDAY WAS NOT A BUSINESS PLAN. COUNCILWOMAN JONES ALSO QUESTIONED WHY THEY NEEDED A 10,000 SQ. FT. BUILDING TO PRINT LABELS. CHAIRMAN BLACKSHEAR SAID MAYBE THEY ARE ONLY USING THE NAME AND VENTURING INTO SOMETHING ELSE. MR. FULGHUM SAID IN THE PAST THE COUNTY HAS SOLD SPEC BUILDINGS IN THE PARK AND NOW THE LAND WAS BEING SOLD AND PUT ON THE TAX ROLES. COUNCILWOMAN JONES ASKED IF THE NEW OWNERS HAVE READ THE COVENANTS AND DO THEY KNOW WHAT THEY ARE RESPONSIBLE FOR AS FAR AS LANDSCAPING, LIGHTING ETC. MR. FULGHUM SAID THE BUYERS HAVE BEEN GIVEN THE COVENANTS. COUNCILWOMAN JONES SAID AN INDIVIDUAL TOLD HER HE HAD AN OPTION TO PURCHASE 5 ACRES FOR \$10,000.00 PER ACRE AND HE PLANNED TO BUY IT AND JUST HOLD ON TO IT AND SELL IT IN THE FUTURE. MR. FULGHUM SAID THAT A TIME PERIOD TO DEVELOP THE LAND CAN BE INCLUDED AND THAT THE COUNTY WOULD HAVE THE OPTION TO PURCHASE THE PROPERTY. MR FULGHUM SAID BASED ON THE CHANGES TO THE CONTRACT, HE DID NOT FORSEE "PROJECT STICKY" COMING BACK FOR COUNCIL APPROVAL VERY SOON. CHAIRMAN BLACKSHEAR AND COUNCILWOMAN JONES AGREED THAT THEY WOULD RECOMMEND TO SELL 3 ACRES OF PROPERTY WITH AN OPTION FOR THE PURCHASE OF 3 ACRES WITHIN A CERTAIN TIME FRAME AND THAT THE COUNTY WOULD PAY NO REAL ESTATE FEES OR COMMISSIONS.

THE MEETING ADJOURNED AT 12:05 P.M.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

JUDITH M. FRANK, CCC
CLERK TO COUNCIL

LEROY BLACKSHEAR
CHAIRMAN OF ECONOMIC
DEVELOPMENT COMMITTEE

