



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
OCTOBER 3, 2016
MINUTES**

Officials Present: Chairman L. Martin Sauls, IV, Vice Chairman D. Thomas Johnson, Councilman Henry Etheridge, Councilwoman Barbara Clark

Officials Absent: Councilman Theodus Drayton

Staff Present: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder, Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Planning Director Lisa Wagner

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 Sauls called the meeting to order at 5:30 p.m.

Executive Session – Councilman Etheridge moved and Vice Chairman Johnson 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 –Section 30-4-70(a)(5) – Prospect Updates. The motion carried with all members present voting in favor.

Return to Open Session – Councilman Etheridge moved and Councilwoman Clark seconded the motion to return to open session. The motion carried with all members present voting in favor.

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

Invocation- Vice Chairman Johnson gave the invocation.

Approval of Agenda – Councilwoman Clark moved and Councilman Johnson seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

Approval of the Minutes – Councilwoman Clark moved and Councilman Etheridge seconded the motion to approve the minutes. The motion carried with all members present voting in favor.

Presentation and Proclamation -Michael Butler –Workforce Innovation Opportunity Act – Mr. Butler explained to the Council that every 4 years it is required that a detailed plan is created and presented to Council and put it online. Mr. Butler said that a Regional Plan that will bring all facets of the workforce development and develop it through all state entities will be produced.

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 – Chairman Sauls opened the floor to the public. There were no comments. Chairman Sauls closed the floor to the public.

Resolutions - None

Ordinances

Lisa Wagner– Ms. Wagner explained that the number and height of flag poles and the size of flags were not regulated in the current Zoning Ordinance. Ms. Wagner said the attorney researched exempting the American Flag. Mr. Tedder explained that they cannot exempt the American Flag. Vice Chairman Johnson said he defers to the County Attorney and he was fine with leaving it out. Chairman Sauls opened the public hearing. There were no comments. Chairman Sauls closed the public hearing. Councilwoman Clark moved and Vice Chairman Johnson seconded the motion that this be the Public Hearing and 3rd Reading of the Ordinance to amend Article 4, Definitions, Article 7:5, Maximum Height and Article 15, Sign Standards. The motion carried with all members present voting in favor.

Lisa Wagner – Public Hearing and 3rd Reading of the Ordinance to amend the Jasper County Zoning Ordinance Article 8:5.8, *Architectural Design and Materials* – Ms. Wagner explained that currently metal buildings were not allowed on the corridor overlay district and with this ordinance they would be allowed, but with certain restrictions. Ms. Wagner said the ordinance reflect change requested that it apply to all areas. Chairman Sauls opened the Public Hearing. There were no comments. Chairman Sauls closed the public hearing. Vice Chairman Johnson moved and Councilwoman Clark seconded the motion to approve as written the Ordinance to amend the Jasper County Zoning Ordinance Article 8:5.8, Architectural Design and Materials. The motion carried with all members present voting in favor.

Lisa Wagner –2nd Reading of an Ordinance to amend the Jasper County Zoning Ordinance, as amended, to amend Article 3:5;3, Notice of Hearing – Ms. Wagner explained that the Jasper County Zoning Ordinance provides basic requirements for processing public hearing notices. However, requirements are missing from the Jasper County Zoning Ordinance regarding mailing of public hearing notices as required by state law. The proposed amendment will add requirements for mailing of public hearing notices to property owners who may be affected by zoning map amendments and a section regarding comprehensive map amendments as they relate to posting of properties for a large area. In addition, a new section titled Constructive Notices will be added which is basically a disclaimer in case of a minor defect or error made during the notification of public hearing process. Ms. Wagner explained the proposed amendment specifically adds the following language to Article 3:5.3: Notice of a public hearing shall be sent by first class mail to the last known address of all property owners within 500 feet from all property lines of the subject property at least fifteen (15) days prior to the date of the public hearing. The notice shall carry an appropriate descriptive title, and shall state the time, date, and place of the hearing. Comprehensive amendments to the zoning map include cases which it would be unduly burdensome, such as map amendments for more than 20 properties. Posting in this case shall be by posting in a newspaper of general circulation in Jasper County at

least 15 days prior to the date of the public hearing, and by placing one (1) sign on each road frontage abutting the affected properties. Ms. Wagner said that the new section to 3:5.3 included that minor defects in a notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. In all cases, however, the requirements for the timing of the notice and for specifying the date, time and place of a hearing and the location of the subject property shall be strictly construed. If questions arise regarding the adequacy of notice, the Review and Decision Making Body shall make formal findings regarding whether there was substantial compliance with the notice requirements of this Ordinance. Ms. Wagner said notices would be sent to property owners within 500 feet unless directed otherwise. Councilman Etheridge asked what unduly burdensome means and Ms. Wagner said if there were 70-80 property owners within 500 ft., they would all be noticed. Councilman Etheridge moved and Councilwoman Clark seconded the motion that this be the 2nd Reading of an Ordinance to amend the Jasper County Zoning Ordinance, as amended, to amend Article 3:5;3, Notice of Hearing. The motion carried with all members present voting in favor.

Lisa Wagner – 2nd Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer properties bearing Jasper County Tax Map Numbers 080-03-00-001; 080-03-00-002; 080-03-00-004; 080-03-00-005; 080-03-00-006; 080-03-00-007; 080-03-00-008; 080-03-00-009; 080-03-00-010; 080-03-00-011; 080-03-00-012; 080-03-00-013; 080-03-00-014; 080-03-00-015; 080-03-0-016; 080-03-00-017; 080-03-00-018; 080-03-00-019; 080-03-00-020; 080-03-00-021 located in the Argent Business Park off of Argent Boulevard from the General Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map – Ms. Wagner said that the applicant submitted a 21 lot commercial subdivision. Ms. Wagner said the infrastructure was completed in 2007. Ms. Wagner said the requested change is from General Commercial to Mixed Business. Ms. Wagner said the residential property is not being used as residences and they are not properly zoned. Ms. Wagner said this is the ideal location for this change. Vice Chairman Johnson moved and Councilwoman Clark seconded the motion that this be the 2nd Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer properties bearing Jasper County Tax Map Numbers 080-03-00-001; 080-03-00-002; 080-03-00-004; 080-03-00-005; 080-03-00-006; 080-03-00-007; 080-03-00-008; 080-03-00-009; 080-03-00-010; 080-03-00-011; 080-03-00-012; 080-03-00-013; 080-03-00-014; 080-03-00-015; 080-03-0-016; 080-03-00-017; 080-03-00-018; 080-03-00-019; 080-03-00-020; 080-03-00-021 located in the Argent Business Park off of Argent Boulevard from the General Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

Ronnie Malphrus – Public Hearing and 3rd Reading of the Ordinance to amend the Jasper County Operating Budget for the Fiscal Year 2016-2017 – Mr. Malphrus said that the budget amendment needed to be done to cover the salary increases for the employees. Chairman Sauls opened the floor to the public. There were no comments. Chairman Sauls closed the floor to the public. Councilwoman Clark moved and Councilman Etheridge seconded the motion that this be the Public Hearing and 3rd Reading of the Ordinance to amend the Jasper County Operating Budget for the Fiscal Year 2016-2017. The motion carried with all members present voting in favor.

Ronnie Malphrus- 1st Reading of Ordinance to provide for the issuance and sale not exceeding \$5,900,000 General Obligation Refunding Bonds of Jasper County, South Carolina; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto (by title only) – Mr. Malphrus said this is being done by title only and Councilman Etheridge asked if it was approved by the St. Peters Parish Board. Mr. Malphrus said they do not have to approve it. Vice Chairman Johnson moved and Councilwoman Clark seconded the motion that this be the 1st Reading of Ordinance to provide for the issuance and sale not exceeding \$5,900,000 General Obligation Refunding Bonds of Jasper County, South Carolina; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto (by title only). The motion carried with all members present voting in favor.

Ronnie Malphrus – 1st Reading of an Ordinance authorizing the execution and Purchase and Occupancy Agreement Between Jasper County and St. Peters Parish/Jasper County Public Facilities Corporation; approving the issuance of St. Peters Parish/Jasper County Public Facilities Corporation Installment Purchase Refunding Revenue Bonds in the aggregate principal amount not exceeding \$15,500,000; consenting to the form of a Third Supplemental Trust Agreement between St. Peters Parish/Jasper County Public Facilities Corporation and U.S. Bank National Association as corporate trustee; and other matters relating thereto (by title only) – Mr. Malphrus said that by doing this, the County will save about \$500,000 over the life of the bond. Councilman Etheridge asked if this has gone before the St. Peters Parish Board. Mr. Malphrus said he will check with the bond attorney. Councilwoman Clark moved and Vice Chairman Johnson seconded the motion that this be the 1st Reading of an Ordinance authorizing the execution and Purchase and Occupancy Agreement between Jasper County and St. Peters Parish/Jasper County Public Facilities Corporation; approving the issuance of St. Peters Parish/Jasper County Public Facilities Corporation Installment Purchase Refunding Revenue Bonds in the aggregate principal amount of not exceeding \$15,500,000; consenting to the form of a Third Supplemental Trust Agreement between St. Peters Parish/Jasper County Public Facilities Corporation and U.S. Bank National Association as corporate trustee; and other matters relating thereto (by title only). The motion carried with all members present voting in favor.

Andrew Fulghum –2nd Reading of the Ordinance regarding a Lease Renewal between Jasper County and JARM – Mr. Fulghum said the lease term of 3 years is being changed to 5 years and the attorney suggested a few changes and Vice Chairman Johnson also suggested a few changes. Mr. Fulghum said he would present the lease agreement to JARM for their approval prior to the 3rd reading. Councilwoman Clark moved and Councilman Etheridge seconded the motion that this be the 2nd Reading of the Ordinance regarding a Lease Renewal between Jasper County and JARM. The motion carried with all members present voting in favor.

Old Business - None

New Business

Dale Terry – Convenience Site Operating Hours/Thanksgiving Holiday – Mr. Terry told the Council that the Weds. before Thanksgiving the Convenience sites will be open and closed on

Thanksgiving Thursday. Councilwoman Clark said she suggested that last year and she thanked Mr. Terry for taking care of it.

Council Members' Comments – **Councilman Etheridge** said he met with the representatives for Boeing and said Boeing has 2,200 suppliers, but only 300 are in South Carolina and that they needed to work on getting some of them to locate here. Councilman Etheridge said he attended the Special Called Meeting and the Gopher Hill Festival. **Councilwoman Clark** said she attended the same events as Councilman Etheridge. Councilwoman Clark said that Doug Graham wanted her (on his behalf) to thank Vice Chairman Johnson and Councilman Etheridge for the work they did to get the insurance back and that Levy FD is back up and running. **Vice Chairman Johnson** said he too attended the same events as Councilwoman Clark and Councilman Etheridge. Vice Chairman Johnson said that Boeing has internships and scholarships and that Mr. Fulghum has the information. **Chairman Sauls** said he attended the SCA meeting and that the Jasper Scholarship Tournament was a great success. Chairman Sauls announced that the Big Oyster Roast will be held on Nov. 17, 2016.

Administrator's Report – Mr. Fulghum said his report was provided for information and if the Council had any questions to please contact him.

Chief Daley provided an update on Hurricane Matthew.

Adjourn- Councilwoman Clark moved and Vice Chairman Johnson seconded the motion to adjourn. The motion carried with all members present voting in favor.

The meeting ended at 7:00 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, ccc
Clerk to Council

L. Martin Sauls, IV
Chairman