



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

COUNCIL CHAMBERS

DEC. 3, 2012

MINUTES

3:00 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, Parks and Recreation Director Johnny Davis, HR Director Gloria Lucas, ROD Patsy Green, Business License Coordinator Renty Kitty

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 3:00 p.m.

**EXECUTIVE SESSION** – Councilman Etheridge motioned and Councilman Drayton seconded the motion to go into executive session for the discussion of negotiations incident to proposed contract arrangement 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 – **airport**; 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 fog**; and 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 bod, in its discretion, from deleting the names of other employees or clients whose records are submitted for use at the hearing – **personnel matters**. The motion carried with all members present voting in favor.

**RETURN TO OPEN SESSION** – Councilman Etheridge motioned and Councilman Drayton seconded the motion to return to open session. The motion carried with all members present voting in favor.

**4:00 P.M.**

**Call to Order-** Chairman Gregory called the meeting to order at 4:00 p.m.

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

**Invocation** – Councilman Drayton gave the invocation.

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

**Approval of the Minutes from 10/15/2012 and 11/05/2012** – Vice Chairman Sauls motioned and Councilman Drayton seconded the motion to approve the minutes of the 10/15/2012 and 11/05/2012 council meetings. The motion carried with all members present voting in favor.

**Proclamations and Presentation- Presentation of the GFOA Award-** Mr. Fulghum presented the award to Mr. Ronnie Malphrus, Director of Administrative Services. The Award is for excellence in financial reporting.

**Proclamation of Support for the Jasper County Black History Historical Preservation Society-** Vice Chairman Sauls motioned and Councilman Etheridge seconded the motion to pass the Proclamation of Support for the Jasper County Black History Historical Preservation Society. The motion carried with all members present voting in favor.

#### **Ordinances**

**LeNolon Edge – 3<sup>rd</sup> Reading of the Ordinance to Approve the Master Plan Review for Center Point PDD – John Paul Ii Catholic School** – Mr. Edge explained that the property was located on Hwy. 170 and Hwy. 462 and it consisted of 30 acres. Mr. Edge told the Council that the applicant was available for questions. Councilman Etheridge asked if there were any changes to the ordinance and Mr. Edge responded there were no changes since the last reading. Vice Chairman Sauls motioned and Councilman Drayton seconded the motion that this be the 3<sup>rd</sup> 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 – 3<sup>rd</sup> Reading of the Ordinance Authorizing the Execution and Delivery of A Fee-In-Lieu of Tax Agreement (The “Agreement”) By and Among Jasper County, South Carolina (The “County”), and Daniel Defense, Inc. (“Daniel”), And Coosawhatchie Creek Investments LLC (“Coosawhatchie”) (Daniel And Together With Coosawhatchie, Collectively, the “Company”)** – Mr. Fulghum explained that the ordinance authorized the execution and delivery of the FILOT agreement for a term of 20 years. Mr. Fulghum said that the final draft corrected the special source revenue credit from 30 years to 20 years. Vice Chairman Drayton motioned and Councilman Etheridge seconded the motion that this be the 3<sup>rd</sup> Reading of the Ordinance Authorizing the Execution and Delivery of A Fee-In-

Lieu of Tax Agreement (The “Agreement”) By and Among Jasper County, South Carolina (The “County”), and Daniel Defense, Inc. (“Daniel”), And Coosawhatchie Creek Investments LLC (“Coosawhatchie”) (Daniel And Together With Coosawhatchie, Collectively, the “Company”). The motion carried with all members present voting in favor.

**LeNolon Edge- 1<sup>st</sup> Reading Of the Ordinance to Amend the Official Zoning Map of Jasper County So As To Transfer Property Bearing Jasper County Tax Map Number 038-00-02-002 Located At the Intersection of Speedway Blvd. And Alligator Alley from the Community Commercial to the Rural Preservation Zone on the Jasper County Official Zoning Map-** Mr. Edge said the request was for a zoning change to 3.14 acres and the planning commission recommended approval. The applicant, Mr. Chris Sywassink said he was requesting the change so he could start a gourmet mushroom farm. Vice Chairman Sauls motioned and Councilman Etheridge seconded the motion that this be the 1<sup>st</sup> Reading of the Ordinance to Amend the Official Zoning Map of Jasper County So As To Transfer Property Bearing Jasper County Tax Map Number 038-00-02-002 Located at the Intersection of Speedway Blvd. And Alligator Alley from the Community Commercial to the Rural Preservation Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

#### **Resolutions - None**

**Old Business – Appointment of Member to Library Board** – Chairman Gregory nominated Patricia Dupont to the library board. Councilman Drayton said the person is to appear before Council prior to the appointment. Councilman Drayton asked that she be at the January meeting. Councilman Drayton said he liked to meet who is appointed to the boards.

**New Business - Andrew Fulghum - Professional Service Contract for Ridgeland Airport** – Mr. Fulghum explained that in order for the project to move forward, the Council will need to take action in a public session to approve the professional services of the LPA Group, Inc. Specifically the LPA Group has proposed to complete the revised Airport Layout Plan and the Environmental Assessment for the Ridgeland Airport for a combine cost not to exceed \$170,075. Mr. Fulghum requested that the Council approve the professional service contract from the LPA group in the amount of \$170,075 to be paid for from the Commercial Development Fund and authorize the staff to accept a grant from the State Aeronautics Commission in an amount equal to 60% of the cost of the professional services (up to \$102,045) and that it be applied towards payment for the professional services. Councilman Blackshear motioned and Vice Chairman Sauls seconded the motion to approve the Professional Service Contract for the Ridgeland Airport at a cost not to exceed \$170,075 and that it paid for from the Commercial Development Fund and to authorize the staff to accept a grant from the State Aeronautics Commission in an amount equal to 60% of the cost of the professional services (up to \$102,045) and that it be applied towards payment for the professional services. The motion carried with all members present voting in favor.

**Dale Terry – Approval of Bids for Trash Compactors** – Mr. Terry presented three bids for the trash compactors and asked the council to approve the low bid from Bakers Waste in the amount of \$34,226.59. Vice Chairman Sauls motioned and Councilman Drayton seconded the motion to approve

the bid from Bakers Waste in the amount of \$34,226.59 and it is to be paid for from the budgeted funds. The motion carried with all members present voting in favor.

**Committee Reports – Vice Chairman Sauls** reminded the public of the Ridgeland and Hardeeville Christmas Parades and the Festival of Snow. Vice Chairman Sauls announced that there would be a ribbon cutting for the new law offices of Jones, Simson and Newton. **Councilman Blackshear** reported that the Engineering Services Committee met and discussed drainage behind the Bethel Baptist Church in Pineland and trimming trees on Wagon Branch Loop. Chairman Gregory recommended cutting the limbs that were hanging over the road and not to cut the trees as the person requested. Mr. Terry said this cannot be done in-house and the trees are on private property and the limbs are hanging over a county maintained road. Vice Chairman Sauls asked if the trees limbs were deterring traffic and Mr. Terry responded that they were not. Mr. Terry explained the location of the road and Councilman Etheridge asked if it was a dead end road and Mr. Terry said that it was and it had 2 houses and 2 mobile homes. Mr. Terry said the limbs are about 30 feet high. Chairman Gregory said it could be dangerous and they could fall on someone. Councilman Etheridge asked Mr. Terry to check into how much it would cost. Councilman Drayton motioned and Councilman Etheridge seconded the motion to authorize Mr. Terry to get the limbs down. The motion carried with Chairman Gregory, Councilman Drayton and Councilman Etheridge voting for; Vice Chairman Sauls and Councilman Blackshear voted against. Councilman Blackshear said the committee also discussed cleaning out a ditch around a cemetery at Bethel Baptist Church. Vice Chairman Sauls asked if it was a County ditch or is a County ditch causing a problem. Mr. Terry said it was a State ditch. Vice Chairman Sauls said the State should take care of it. Mr. Terry said the ditch goes down the side of the road and behind the property. Councilman Etheridge motioned not to clean the ditch. Vice Chairman Sauls asked how big was the ditch and Mr. Terry said the ditch goes through a timber company property. Mr. Terry said he met with the overseer and the overseer said that he would need to get permission from the owner. Vice Chairman Sauls asked how they can approve using County money to pay for cleaning a ditch on private property. Councilman Drayton asked how big the project was. Mr. Terry said about 2 days' work. Councilman Drayton said he would support it, but it may set a precedent. Vice Chairman Sauls asked the attorney if this can be done. Attorney Jones said it would be for private benefit, not public benefit and he reviewed the contract from the landowner they asked the County to enter if they decided to do it. Mr. Jones said it included some indemnities. Attorney Jones said he did not recommend doing it. Alex Pinckney said he made the request and the ditch was originally dug by the County and it is an outfall ditch and it does not have the right drainage. Mr. Pinckney said it needed grading for about 200 feet. Mr. Terry said it needed graded for about 500 feet. Mr. Pinckney said the County had permission to dig the outfall ditch and they don't clean it out and it was not done correctly 15 years ago. Vice Chairman Sauls asked if the County dug the ditch on Church property. Mr. Pinckney said the ditch borders International Paper property and Church property. Mr. Pinckney said the ditch is not tied into a major drain and several graves have been up seeded due to the water. Vice Chairman Sauls asked where the water would go and Mr. Pinckney said the water would go onto International Papers property and the Black Swamp. Councilman Drayton said if the County dug the ditch initially then it should fix it. Chairman Gregory said that Councilman Etheridge motion died for lack of a second. Councilman Drayton motioned and Chairman Gregory seconded the motion to approve cleaning the ditch. The motion carried with

Chairman Gregory, Vice Chairman Sauls and Councilman Drayton voting for; Councilmen Blackshear and Etheridge voted against. **Chairman Gregory** explained that the VA officer was requesting additional funds for educational travel and software. Vice Chairman Sauls said he spoke with Ms. Terry and the education was required and she would be the only one attending. Councilman Etheridge said that he agreed with the software and local training, but he felt the national training could be put off due to the County's money situation. Councilman Drayton said she was requesting an additional \$4,500 and he felt her request should be granted. Vice Chairman Sauls motioned and Councilman Blackshear seconded the motion to approve the \$4,500 requested by the VA office. The motion carried with all members present voting in favor. Mr. Fulghum asked where the fund were coming from. Mr. Malphrus said a budget amendment would be needed. Mr. Fulghum said he would bring back a recommendation and a budget amendment that will include this request. Chairman Gregory announced that the County received a \$500,000 grant for the DHEC-Health Service Building. Chairman Gregory congratulated the staff and everyone who worked on the grant. Dr. Hood thanked the citizens for their support and he said for the record that they can start the engineering service work now and Mr. Terry will start moving forward and a lot of work needs to be done. Dr. Hood said they hoped to break ground in the Spring and be up and going within 120 days. Chairman Gregory said there will not be any other scheduled meetings in December, but he will call a special meeting if one is needed.

#### **Administrator's Report**

**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) – Barbara Bartoldus** informed the Council that there were limbs on her road that also needed to be trimmed which are dangerous and she wanted to know when the County would trim them. Ms. Bartoldus commented on the \$500,000 grant of taxpayers money. Ms. Bartoldus said the building was not needed. Ms. Bartoldus said she was looking forward to the next council.

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

The meeting ended at 5:00 p.m.

Respectfully submitted by:

Approved by:

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Judith M. Frank, ccc  
Clerk to Council

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Rev. Samuel Gregory  
Chairman

