



**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
JASPER COUNTY GOVERNMENT BLDG.  
DECEMBER 7, 2015  
MINUTES**

**Welcome Reception for Senator Margie Bright Matthews** – The Council hosted a reception for Senator Margie Bright Matthews to welcome her to Jasper County.

**6:30 p.m.**

**Officials Present:** Chairwoman Barbara Clark, Vice Chairman L. Martin Sauls, IV, Councilman Theodus Drayton, Councilman Henry Etheridge, Councilman D. Thomas Johnson

**Staff Present:** Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder, Director of Administrative Services Ronnie Malphrus, Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Interim Planning Director Lisa Lamb

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 meeting to order at 6:30 p.m.

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

**Invocation** – Vice Chairman Sauls gave the invocation.

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

**Approval of the Minutes - 10/19/2015 and 11/16/2015** - Vice Chairman Sauls moved and Councilman Drayton seconded the motion to approve the minutes of 10/19/2015 and 11/16/2015. The motion carried with all members present voting in favor.

**Presentation and Proclamations**

**Senator Margie Bright Matthews** – Senator Bright Matthews thanked the Council for hosting the reception. Senator Bright Matthews said Jasper County was the 1<sup>st</sup> of the 6 Counties that she represents to host a welcoming reception for her. Senator Bright Matthews said she will not forget Jasper County and she needed the County's help with the overwhelming task before

her. Senator Bright Matthews provided her email address and said the citizens can contact Mr. Leroy Sneed, Bronco Bostick, David Smalls or her law office in Walterboro if they could not reach her directly. Senator Bright Matthews said her platform was education and there were a lot of legal issues being discussed. Senator Bright Matthews said she requested to be on the Education Committee. Senator Bright Matthews said it was important to get the workforce ready through education. Senator Bright Matthews added that she requested to be appointed to the Judiciary Committee and the DNR Committee. Senator Bright Matthews discussed infrastructure, the flood and the Port. Senator Bright Matthews promised to be there for the County and to make sure things are broken down so she has a complete understanding of what is needed. Senator Bright Matthews said she is going to start researching for funds for all areas and ways to get the funds. Chairwoman Clark thanked the Senator and said that the Council and the Administration will help to keep her informed. Chairwoman Clark thanked Senator Bright Matthews for coming to the meeting.

**J. C. School Board Ad Hoc Committee – Forensic Audit** – School Board members Horton, Karg and Murray requested financial assistance from the Council to pay for a forensic audit for the School District. School Board members Butler and Green were also present. Mr. Horton said they did not want to use funds from their budget that could be used for the children. Chairwoman Clark asked the Board to work with Mr. Fulghum and then come back to Council. Vice Chairman Sauls said he felt it was needed, but the budget has been set and the County did not budget for it. Mr. Horton said they put out two RFQs. Councilman Etheridge suggested that the School District have the expense as a line item in next year's budget. Councilman Johnson commented that he would like to know more about it and that he would work with them and give their request due consideration. Councilman Drayton said he would like more information since the School Board is under FBI investigation and he would like a report on their findings. Mr. Horton said the IRS is looking for items over \$1,000,000 and Mr. Karg said they have not heard anything from the State's Attorney General and they are still deposing and it is supposed to end soon. Councilman Drayton said he did not think another audit should be done until they have the findings of all the other investigations. Chairwoman Clark asked the Board Members to meet with Mr. Fulghum and come back when they have more information.

**Andrew Fulghum Recognition of employees who responded to the SC Flood Emergency – Deani Hall and Todd Collins** – Mr. Fulghum explained that at the last Council Meeting the Council recognized employees from Emergency Services; however, Ms. Hall and Mr. Collins were not able to attend that meeting. Mr. Fulghum said that Ms. Hall and Mr. Collins took part in the damage assessment in Bamberg County during the flood. The Council presented Ms. Hall and Mr. Collins with certificates of appreciation and thanked them for a job well done.

**Ms. Ashley Feaster - Presentation of \$250,000 in Rural Development Act (RDA) Funds to Jasper County** – Ms. Feaster presented the Council with a check for \$250,000 from Palmetto Electric RDA funds. The money will be used for storm water management at the Cypress Ridge Business/Industrial Park.

## Ordinance

**David Tedder- 3<sup>rd</sup> Reading of an Ordinance to amend Ordinance 2015-24 authorizing the transfer of property to AS/R Systems, Inc and David Tedder – 3<sup>rd</sup> Reading of the Ordinance to amend Ordinance 2015-20 regarding the MCIP for AS/R Systems, Inc. and David Tedder – 3<sup>rd</sup> Reading of the Ordinance to amend Ordinance 2015-21 regarding the FILOT with AS/R Systems, Inc.** – Mr. Tedder explained that the three ordinances were necessary to do a name change requested by the owner. Mr. Tedder said the request was made for tax reasons. Councilman Johnson moved and Councilman Drayton seconded the motion that this be the 3<sup>rd</sup> Reading of an Ordinance to amend Ordinance 2015-24 authorizing the transfer of property to AS/R Systems, Inc. The motion carried with all members present voting in favor.

Vice Chairman Sauls moved and Councilman Johnson seconded the motion that this be the 3<sup>rd</sup> Reading of the Ordinance to amend Ordinance 2015-20 regarding the MCIP for AS/R Systems, Inc. The motion carried with all members present voting in favor.

Councilman Etheridge moved and Vice Chairman Sauls seconded the motion that this be the 3<sup>rd</sup> Reading of the Ordinance to amend Ordinance 2015-21 regarding the FILOT with AS/R Systems, Inc. The motion carried with all members present voting in favor.

**Lisa Wagner – 3<sup>rd</sup> Reading of the Ordinance regarding to amend the Jasper County Zoning Ordinance, as amended, to add Solar Electric Power Generation as a conditional use in all Zoning Districts; to amend Article 6:1, Table 1; and to add conditions to Article 11:7 as 11.7.5B. (Accessory Solar)** – Ms. Wagner explained that the ordinance was for solar accessory use in all districts. Ms. Wagner said that she met with the Coastal Conservation League and that there were changes to the ordinance that the Planning Commission recommended. Vice Chairman Sauls moved and Councilman Drayton seconded the motion 3<sup>rd</sup> Reading of the Ordinance regarding to amend the Jasper County Zoning Ordinance, as amended, to add Solar Electric Power Generation as a conditional use in all Zoning Districts; to amend Article 6:1, Table 1; and to add conditions to Article 11:7 as 11.7.5B. (Accessory Solar) as presented. The motion carried with all members present voting in favor.

**Lisa Wagner – 1<sup>st</sup> Reading of an Ordinance To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 080-00-01-025 located along Argent Boulevard from the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map** - Ms. Wagner explained that the zoning request was for 6.7 acres on Argent Blvd. Ms. Wagner said that the property was developed as commercial on two parcels and one parcel is residential. Vice Chairman Sauls moved and Councilman Drayton seconded the motion that this be the 1<sup>st</sup> Reading of an Ordinance To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 080-00-01-025 located along Argent Boulevard from the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

## Resolutions

**David Tedder – A RESOLUTION AUTHORIZING (1) THE EXECUTION AND DELIVERY of a fee in lieu of tax and incentive AGREEMENT BY AND BETWEEN Jasper COUNTY, SOUTH CAROLINA (THE “COUNTY”) AND A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT GATHERER, acting for itself, ONE OR MORE affiliates and/or other project sponsors (THE “COMPANY”), pursuant to which the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes with respect to THE ESTABLISHMENT CERTAIN FACILITIES at one or more locations IN THE COUNTY (COLLECTIVELY, THE “PROJECT”); (2) the benefits of a multi-county industrial or business park to be made available to the company and the project; (3) CERTAIN SPECIAL SOURCE REVENUE CREDITS IN CONNECTION WITH THE PROJECT; AND (4) OTHER MATTERS RELATING THERETO** – Mr. Tedder explained that this was an inducement resolution based on the developer investing \$100,000,000 and to formalize the terms and to move forward with a development agreement. Mr. Tedder said the County was requiring a development to have a certainty of the taxes. Mr. Tedder said the taxes and percentages of the fee in lieu of taxes are covered in the resolution. Mr. Tedder said the developer must acquire the property by 2016 or the terms are terminable. Mr. Tedder said the staff recommended approval with one change that the County Attorney be added to Section 7. Councilman Drayton moved and Vice Chairman Sauls seconded the motion that the resolution be approved and that the County Attorney be added to Section 7. The motion carried with all members present voting in favor. Councilman Etheridge said this resolution spells out what the County expects and this is only the beginning. Councilman Etheridge said ordinances will have to be passed prior to anything being built in Jasper County. Councilman Etheridge said there were two locations for the solar farms, one was in the County and one was in the Town of Ridgeland.

#### **Old Business - None**

#### **New Business**

**Johnny Davis – Park Playground Equipment** – Mr. Davis told the Council he found playground equipment that was gently used and there were 3 areas that do not have playground equipment. Mr. Davis asked the Council to approve \$2,750 for the equipment. Councilman Johnson moved and Vice Chairman Sauls seconded the motion to approve \$2,750 for playground equipment. The motion carried with all members present voting in favor. Councilman Johnson commended Mr. Davis for finding things like this.

**Ronnie Malphrus – Presentation of Revenue Enhancement and Reduction Agreement with Segal Legal Revenue and Expense Specialists** - Mr. Malphrus explained that the County has worked with this company in the past and this proposal was for Business License. Mr. Malphrus said that the County would pay 50% of whatever is collected for the next two years. Mr. Malphrus added that it would be for new business licenses that do not have business licenses in the County. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to approve the Revenue Enhancement and Reduction Agreement with Segal Legal Revenue and Expense Specialists. The motion carried with all members present voting in favor. Mr. Malphrus said that the County collected an additional \$15,000 in hospitality tax and that he

expected more with the business licenses. Mr. Malphrus said they will identify businesses and send letters to the companies to report their gross income. Councilman Johnson asked if anyone who currently had a business license would be looked at and Mr. Malphrus said they would not and it would be only for businesses doing businesses in the unincorporated areas of Jasper County.

**Wilbur Daley – Presentation of Extension Service Agreement for Disaster Management and Recovery Monitoring** – Mr. Daley explained that the County has a contract for debris management, but a contract for monitoring the contract was needed. Mr. Daley requested that the Council approve a 2 year contract which will give the county 5 years before it needs to be done again. Mr. Daley said it will not cost the County any money until it is activated. Vice Chairman Sauls moved and Councilman Johnson seconded the motion to approve the Extension Service Agreement for Disaster Management and Recovery Monitoring for two years. The motion carried with all members present voting in favor.

**Arthur Benjamin – Presentation of Fire Sprinkler Installation at the Detention Center-** Mr. Benjamin explained that the state fire marshal visited the detention center and 31 sprinkler heads needed to complete phase 2. Councilman Drayton moved and Chairwoman Clark seconded the motion to approve funding for the part 2 phase 2 to be completed. Councilman Etheridge said he felt \$612 per Sprinkler head was high. Mr. Benjamin said they changed companies because the other company's price was higher. Mr. Malphrus said the contract included annual inspections and they looked at the other parts of the system. Mr. Malphrus said this was the last stage of the project. Councilman Etheridge asked if this was put out to bid and Mr. Malphrus said it was not. The motion carried with all members present voting in favor. Councilman Johnson asked how many inmates were on the ankle monitoring program. Mr. Benjamin responded one. Councilman Drayton asked if Mr. Benjamin had any insight as to how to make the ankle monitoring system work. Mr. Benjamin said he was working with the magistrate judges. Vice Chairman Sauls said they needed to set a date to get the reports on the ankle monitoring and make it work. Mr. Benjamin said he would get with the magistrates to set a date. Mr. Fulghum said it was up to the judges to sentence the individuals. Councilman Etheridge asked about the maximum capacity of the detention center and Mr. Benjamin said 134, and currently there are 84, but it has been as high as 200. Councilman Johnson asked Mr. Tedder to make it a priority to make it work.

**Committee Reports – Councilman Drayton** reported that he attended the Ridgeland Parade and that there is another speaker scheduled to talk about the Promise Zone at the Tarboro Center. **Councilman Johnson** reported that he wrote a few letters and the permits for the Port have been applied for. Councilman Johnson said he also attended the Ridgeland Parade. **Councilman Etheridge** attended on the SC Economic Alliance and they provided update on the Promise Zone and economic development. Councilman Etheridge commented that there is a problem with education and the schools also need to teach technical skills. **Vice Chairman Sauls** reported that he attended Hilton Head Realtor Association and gave an update to the developer. Vice Chairman Sauls said he and his family attended a Thanksgiving dinner at the

JCCOA Senior Center in Hardeeville. Vice Chairman Sauls said that the County has made great strides in economic development in 2015 and reducing the ISO rating was a significant improvement.

**Administrator's Report-** Mr. Fulghum informed the Council that the Hardeeville City Manager sent out letters to the property owners at Exit 3. Mr. Tedder reported that on 12/10/2015 he would be seeking an injunction for the property on Grays Highway. Mr. Tedder said they will be inspecting the property to make sure all the dogs are gone. Mr. Malphrus discussed the Actuarial Valuation Report and that the Council has chosen not to fund that liability. Mr. Malphrus said changing the eligibility from 10 years to 28 years has helped reduce the amount. Mr. Malphrus said he is not aware of any County funding this currently. Mr. Malphrus said the County pays as it goes. Mr. Malphrus said that next year they will be required to show the County's portion of the State retirement liability. Vice Chairman Sauls asked how many retirees are on the benefit plan. Mr. Malphrus said 35-40 which included active employees. Mr. Fulghum said the liability is listed assuming current employees stay the 28 years.

**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:**

**Ridgeland Lakes Subdivision** – Chairwoman Clark opened the floor to the public. **Representative Bill Bowers** said he was looking forward to an exciting new year. **Tom Van Steenburg** discussed the library and what the needs are going to be in the new budget year. Mr. Van Steenburg said there were a lot of changes with the new library in Hardeeville including computer labs. Mr. Van Steenburg said they are going to need a tech person and an instructor for the computer labs and they wanted a tech person for the JC libraries only to maintain and grow the program. **Rich Roberts** discussed the flooding issues at Ridgeland Lakes Subdivision and what has been installed does not work properly. Mr. Roberts said the homeowners were requesting that no more permits be issued to the developer until they correct the water problems. Mr. Tedder said the County cannot stop issuing permits at this time. Mr. Tedder said the Home-Owners Association needed to contact the management company and the County cannot spend tax dollars money on private property. Mr. Roberts said they sent a letter to the management company and no one has responded. Chairwoman Clark said they may need to get legal representation. **Sheriff Jenkins** told the Council that his department applied for grants, but no one in the 14<sup>th</sup> circuit received any grants. Sheriff Jenkins said he held 2 community meetings and they have handled 14,000 calls, made 55 drug arrests, there have been 10 deaths in the County and 8 arrests have been made. Sheriff Jenkins said he discussed a curfew and putting officers in each of the 13 communities. Sheriff Jenkins said it would take 30 additional officers to cover all the communities. Sheriff Jenkins said with more law enforcement visible in the area he felt crime would decrease. Sheriff Jenkins said they made a big drug bust in Hardeeville in July. Vice Chairman Sauls said money was allocated for new equipment and he asked if it has been purchased. Sheriff Jenkins said they were working on it and one vehicle has been ordered and they are lacking two. Vice Chairman Sauls said there are 75 law enforcement officers in the County and 2 municipalities and he felt that was a good effort. Sheriff Jenkins said that his department patrols the unincorporated areas of the County

and municipalities whenever offenses happen, they act on it. Sheriff Jenkins said they issued 1,600 citations without a traffic team. Vice Chairman Sauls asked what the Sheriff would be looking for in the new budget and Sheriff Jenkins said competitive salaries. Vice Chairman Sauls said raises were given in the current budget. Sheriff Jenkins said they need more vehicles because they are patching together the ones they have. Sheriff Jenkins said he needed more officers to assign to the communities so they can be more visible. Chairwoman Clark asked if the Sheriff was currently fully staffed. Sheriff Jenkins said he had two openings and it was hard to find qualified people. Councilman Etheridge said if the vehicles are needed and money has been funded to replace them, why they have not been replaced. Sheriff Jenkins said that it can take 4-5 months once they are ordered. Sheriff Jenkins said the Dodges are on back order and they get a better deal on the ones with the police packages and are marked patrol cars. Vice Chairman Sauls said the Sheriff needed to have a replacement plan in place. Being no further comments, Chairwoman Clark closed the floor to the public.

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

**The meeting ended at 9:05 p.m.**

Respectfully submitted by:

Approved by:

---

Judith M. Frank, ccc  
Clerk to Council

---

Barbara B. Clark  
Chairwoman