JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
FEBRUARY 21, 2017
6:30 P.M.
MINUTES

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

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

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 5:35 p.m.

Executive Session- Councilman Etheridge moved and Councilwoman Clark 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) - Nimitz Solar, LLC, Project Updates, Jasper Ocean Terminal and discussion of employment, appointment, compensation, promotion, demotion, discipline, 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 body, in its discretion, from deleting the names of other employees or clients whose records are submitted for use at the hearing – Section 30-4-70(a) (1) - Administrator and County Attorney and 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– ACE and CATES, Section 30-4-70 (a) (2). The motion carried with all members present voting in favor.

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

Vice Chairman Johnson moved and Councilman Etheridge seconded the motion to have the Administrator and the Attorney write a letter of opposition of the proposed legislation to adopt

exemptions for renewable energy generating properties including solar farms which would affect the County's ability to do a Fee In Lieu of Taxes. The motion carried with all members present voting in favor.

Vice Chairman Johnson and Councilman Etheridge – Consideration of a motion to Reconsider (allowing further discussion and debate) – Naming of the Law Enforcement Building – Vice Chairman Johnson moved and Councilman Etheridge seconded the motion to reconsider the renaming of the Law Enforcement Center and all discussion of this matter be tabled until the Council's Retreat. The motion carried with Chairman Sauls, Vice Chairman Johnson and Councilman Etheridge voting for; Councilwoman Clark and Councilman Drayton voted against.

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

Invocation – Vice Chairman Johnson gave the invocation.

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

Approval of the Minutes – 01/17/2017 – Councilman Etheridge moved and Councilman Drayton seconded the motion to approve the minutes of 01/17/2017. The motion carried with all members present voting in favor.

Councilwoman Clark leaves at this time.

Presentation and Proclamations

Morgan Reius - Update from Southern Carolina Alliance – Mr. Black explained that they come quarterly to update the Council on the activities of the SCA. Mr. Black provided the Council a report that listed all the projects in the area, and the areas that were looked at and properties that were visited during 2016. Mr. Black also provided information on the development projects and grants. Mr. Black discussed the marketing review and a Far East trip planned for 2017. Mr. Black discussed the Port and the Aerospace Corridor. Chairman Sauls stated that the new SCA website is linked to the Jasper County website.

Butch Whiddon- Presentation of the 2016 Fiscal Year Audit- Mr. Whiddon provided information concerning the 2016 fiscal year audit and the Federal Grants received. Mr. Whiddon congratulated the County on receiving the GFOA award again this past year.

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

David Tedder – Resolution authorizing the County Administrator to extend the time during which certain building permit fees may be waived in regards to the repairs necessitated by Hurricane Matthew – Mr. Tedder explained that the resolution was to extend the time for waiving building fees regarding repairs necessitated by Hurricane Matthew until June, 2017. Chairman Sauls commented that he received calls regarding the current deadline. Vice Chairman Johnson moved and Councilman Etheridge seconded the motion to pass the resolution authorizing the County Administrator to extend the time during which certain building permit fees may be waived in regards to the repairs necessitated by Hurricane Matthew until June, 2017. The motion carried with all members present voting in favor.

David Tedder- Resolution confirming appointment/appointing code enforcement officers for the proper security, general welfare and convenience of Jasper County – Mr. Tedder explained that code enforcement officers needed to be appointed so they can enforce the County's Code of Ordinances. Mr. Tedder said Lisa Wagner and Jeffrey Barker would be the Code Enforcement Officers. Councilman Etheridge moved and Councilman Drayton seconded the motion the pass the resolution confirming appointment/appointing code enforcement officers for the proper security, general welfare and convenience of Jasper County and that Lisa Wagner and Jeffrey Barker are to be the code enforcement officers. The motion carried with all members present voting in favor.

Ordinances

David Tedder – 1st Reading of the Ordinance authorizing the execution and delivery of utility easements encumbering property owned by Jasper County (tms 042-00-05- 045) - by title only- Mr. Tedder said that the easement was needed for a tap in to BJWSA. Mr. Tedder said that 15 ft. was needed for underground utilities. Vice Chairman Johnson moved and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance authorizing the execution and delivery of utility easements encumbering property owned by Jasper County (tms 042-00-05- 045) by title only. The motion carried with all members present voting in favor.

Lisa Wagner – 2nd Reading of the Ordinance to amend the Jasper County, South Carolina Comprehensive Plan to add Gateway Corridor Overlay District to Chapter 6.4 Future Development Framework- Ms. Wagner said this ordinance was to amend the Comprehensive Plan to include a Gateway Corridor District. Vice Chairman Johnson moved and Councilman Etheridge seconded the motion that this be the 2nd Reading of the Ordinance to amend the Jasper County, South Carolina Comprehensive Plan to add Gateway Corridor Overlay District to Chapter 6.4 Future Development Framework and to substitute that can co-exist instead of appropriate with existing and future residential land uses and also entice economic development. The motion carried with all members present voting in favor.

Lisa Wagner – 1st Reading of the Ordinance to create within the Zoning Ordinance of Jasper County a Gateway Corridor Overlay District, to amend, to create within the zoning

Ordinance of Jasper County a Gateway Corridor Overlay District, to amend, Article 5:1 of the Jasper County Zoning Ordinance so as to add the Gateway Corridor Overlay District (GCOD) to the list of Special Purpose Districts; to amend Article 5:4 of the Jasper County Zoning Ordinance so as to add a purpose and intent for the Gateway Corridor Overlay District; to amend Article 8 of the Jasper County Zoning Ordinance so as to add Article 8:8 related to the Gateway Corridor Overlay District; to amend the Jasper County Zoning Ordinance so as to add conditions to Article 11:7; and to amend the Jasper County Official Zoning Map – Ms. Wagner explained that a workshop and a public hearing were done on January 17, 2017. Ms. Wagner provided a map with the location for the Gateway Corridor Overlay District. Ms. Wagner said the ordinance allowed additional uses and discussed fencing no higher than 6 ft. would be allowed in the buffers. Ms. Wagner said the use regulations were discussed at the workshop. Vice Chairman Johnson asked why the district stopped at Strain Road instead of the state line. Ms. Wagner said that Hardeeville did not want it to go past Purrysburg and there were only a couple of properties and it is a general commercial corridor already. Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance to create within the Zoning Ordinance of Jasper County a Gateway Corridor Overlay District, to amend, to create within the zoning Ordinance of Jasper County a Gateway Corridor Overlay District, to amend, Article 5:1 of the Jasper County Zoning Ordinance so as to add the Gateway Corridor Overlay District (GCOD) to the list of Special Purpose Districts; to amend Article 5:4 of the Jasper County Zoning Ordinance so as to add a purpose and intent for the Gateway Corridor Overlay District; to amend Article 8 of the Jasper County Zoning Ordinance so as to add Article 8:8 related to the Gateway Corridor Overlay District; to amend the Jasper County Zoning Ordinance so as to add conditions to Article 11:7; and to amend the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

David Tedder – 1st Reading of an Ordinance authorizing (1) the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement by and among Jasper County, South Carolina (the "County"), Nimitz Solar, LLC, acting for itself, and/or one or more affiliates, or other project sponsors (the "Company"), and, in a limited capacity, Town of Ridgeland, South Carolina, pursuant to which the County shall covenant to accept certain negotiated Fees in Lieu of Ad Valorem Taxes with respect to the establishment of certain facilities in the County (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 – by title only –

David Tedder – 1st Reading of an Ordinance to further amend the agreement for establishment of a Multi-County Industrial/Business Park, by and between Jasper County, South Carolina and Hampton County, South Carolina, providing for the development of a jointly owned and operated industrial/business park, so as to include additional property in Jasper County as part of the Multi-County Indus trial/Business Park – by title only - Mr. Tedder explained that at the last meeting the Council passed an Inducement Resolution for an MCIP amendment to include the property in Ridgeland and a FILOT that the County already has

in place. Mr. Tedder said that the Town of Ridgeland will be having the 1st reading of their ordinances on their 1st meeting in March, 2017.
Vice Chairman Johnson moved and Councilman Drayton seconded the motion that this be the 1st Reading of an Ordinance authorizing (1) the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement by and among Jasper County, South Carolina (the "County"), Nimitz Solar, LLC, acting for itself, and/or one or more affiliates, or other project sponsors (the "Company"), and, in a limited capacity, Town of Ridgeland, South Carolina, pursuant to which the County shall covenant to accept certain negotiated Fees in Lieu of Ad Valorem Taxes with respect to the establishment of certain facilities in the County (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 – by title only. The motion carried with all members present voting in favor.
Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the 1st Reading of an Ordinance to further amend the agreement for establishment of a Multi-County Industrial/Business Park, by and between Jasper County, South Carolina and Hampton County, South Carolina, providing for the development of a jointly owned and operated industrial business park, so as to include additional property in Jasper County as part of the Multi-County Indus trial/Business Park – by title only. The motion carried with all members present voting in favor.

Old Business- The was no old business.

New Business
Andrew Fulghum- Appointment of member to the SCA Board – Mr. Fulghum informed the Council that Grady Woods like to be reappoint to the SCA Board. Councilman Drayton moved and Vice Chairman Johnson seconded the motion. The motion carried with all members present voting in favor.

Lisa Wagner – Comprehensive Plan Update- Symbioscity – Ms. Wagner asked the Council to approve a contract with Symbioscity to work with the County on the Comprehensive Plan. Ms. Wagner said the contract was for $65,635.00. Ms. Wagner listed the items covered under the contract. Councilman Drayton moved and Vice Chairman Johnson seconded the motion to approve the Symbioscity contract in the amount of $65,635.00. The motion carried with all member present voting in favor.

Andrew Fulghum – Presentation of CBDG Grant Priorities- Mr. Fulghum explained that Ms. Johnson from LCOG made a presentation at the last Council Meeting regarding the CBDG Grants. Mr. Fulghum proved the Top Three as a fire sub-station, DSS expansion which would be requested by the Town of Ridgeland and funding for demolition and clearing. Vice Chairman Johnson said he thought there were different pots of money for different projects and he discussed a walking or equestrian trail beside a water canal from Becks Ferry Road to Hwy. 17. Mr. Fulghum said he would investigate funding for it. Vice Chairman Johnson said they needed

to present what they felt would most likely be approved. Mr. Fulghum said the BJWSA had a plan for sewer expansion in the Levy-Limehouse area and it is a multi-million dollar project. Vice Chairman Johnson moved and Councilman Etheridge seconded the motion to accept the list of projects presented by the administrator and to give the administrator the latitude to create the list of projects with the best chance of approval. The motion carried with all members present voting in favor.

Council Members Comments - Councilman Etheridge reported that he attended the SCAC conference, the State of the Schools Meeting and the workforce summit. **Chairman Sauls** reminded the public of the upcoming events and the renaming ceremony for the J.C. Government Building.

Administrator's Report- Mr. Fulghum informed the Council that there was a short fall of $132,000 for the Hardeeville Library and the County has been asked to fund 50% of that shortfall. Mr. Fulghum said the Library is scheduled to open in April and he asked the Council to consider funding the $65,800. Mr. Fulghum said that if the Delegation comes up with the funds, the $65,800 could be credited to the County's portion of the operating fund. Vice Chairman Johnson moved and Councilman Etheridge seconded the motion to approve the $65,800 payable to the City of Hardeeville for operations and fixtures in the library and if 3rd party funding becomes available, the $65,800 would be credited to the County for the ongoing operations costs. The motion carried with all members present voting in favor.

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

The meeting ended at 7:35 p.m.

Respectfully submitted by:

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Judith M. Frank, ccc
Clerk to Council

Approved by:

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L. Martin Sauls, IV
Chairman