



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
MARCH 16, 2015
MINUTES**

5:30 P.M.

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

Officials Absent: Councilman Theodus Drayton

Staff Present: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney Marvin Jones, Director of Administrative Services Ronnie Malphrus, and Director of Emergency Services Wilbur Daley, Director of Engineering Services Dale Terry, Chief Building Inspector Lennie Martelli, Planning Director LeNolon Edge, Planning and Zoning Coordinator 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 5:30 p.m.

Executive Session –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 body, in its discretion, from deleting the names of other employees or clients whose records are submitted for use at the hearing – Personnel Matters –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 – Forfeited Land Commission – Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to go into executive session for the 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 body, in its discretion, from deleting

the names of other employees or clients whose records are submitted for use at the hearing – Personnel Matters –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 – Forfeited Land Commission. The motion carried with all members present voting in favor.

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

Pledge of Allegiance- Chairwoman Clark led the Pledge of Allegiance.

Invocation – Councilman Etheridge gave the invocation.

Approval of Agenda – Vice Chairman Sauls moved and Councilman Johnson seconded the motion to amend the agenda to include a presentation by Rev. Tilton concerning the Census. The motion carried with all members present voting in favor. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to approve the amended agenda. The motion carried with all members present voting in favor.

Approval of the Minutes – Vice Chairman Sauls moved and Councilman Etheridge seconded the motion to approve the minutes of the Mar. 2, 2015 Council Meeting. The motion carried with all members present voting in favor.

Presentation and Proclamations- Rev. Thurmond Tilton – Rev. Tilton explained that a Census Test will be done in 2015. Rev. Tilton said that test is to see if the census can be completed online. Rev. Tilton said the test will start March 31, 2015 and end on May 31, 2015.

Ordinances

Lisa Lamb-3rd Reading of the Ordinance to amend the Jasper County Flood Damage Prevention Ordinance and desirable amendments to the Jasper County Flood Damage Prevention Ordinance adopted October 15, 2007 – Ms. Lamb told the Council that there have been no changes to the ordinance since the last reading. Ms. Lamb explained the difference between critical areas and flood zone. Councilman Etheridge moved and Councilman Johnson seconded the motion that this is the 3rd Reading of the Ordinance to amend the Jasper County Flood Damage Prevention Ordinance and desirable amendments to the Jasper County Flood Damage Prevention Ordinance adopted October 15, 2007. The motion carried with all members present voting in favor.

LeNolon Edge – Public Hearing and 2nd Reading of the Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 052-00-10-038 located on Grays Highway from the Community Commercial Zone to the Residential Zone on the Jasper County Official Zoning Map

Mr. Edge provided the location of both properties and said he has not received any opposition to the rezoning. Mr. Edge said the zoning is consistent with adjacent properties. Chairwoman

Clark opened the public hearing; there were no comments; Chairwoman Clark closed the public hearing. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion that this be the Public Hearing and 2nd Reading of the Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 052-00-10-038 located on Grays Highway from the Community Commercial Zone to the Residential Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor. **Public Hearing and 2nd Reading of the Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 052-00-10-035 located on Grays Highway from the Community Commercial Zone to the Rural Preservation Zone on the Jasper County Official Zoning Map** - Chairwoman Clark opened the public hearing; there were no comments; Chairwoman Clark closed the public hearing. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion that this be the Public Hearing and 2nd Reading of the Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 052-00-10-0035 located on Grays Highway from the Community Commercial Zone to the Residential Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

LeNolon Edge – Public Hearing and 2nd Reading of the Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 080-00-03-022 located off of Green Acres Road from the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map – Mr. Edge explained that this property was located next to the property adjacent to the property that rezoning was just approved. Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Councilman Johnson moved Vice Chairman Sauls seconded the motion that this be the Public Hearing and 2nd Reading of the Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 080-00-03-022 located off of Green Acres Road 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.

LeNolon Edge – Public Hearing and 3rd Reading of the Ordinance to adopt a property maintenance ordinance for the unincorporated areas of Jasper County; to provide definitions; to provide specific property maintenance standards; to provide administration by the Jasper County Development Services Representative; to provide penalties for violations; to provide for emergency measures; to provide for demolition in certain circumstances; to provide a process for appeal; and to provide an effective date-Mr. Edge said there was no changes since the 2nd reading. Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Vice chairman Sauls moved vice Chairman Sauls seconded the motion that this be the Public Hearing and 3rd Reading of the Ordinance to adopt a property maintenance ordinance for the unincorporated areas of Jasper County; to provide definitions; to provide specific property maintenance standards; to provide administration by the Jasper County Development Services Representative; to provide penalties for violations; to provide for emergency measures; to provide for demolition in certain circumstances; to provide

a process for appeal; and to provide an effective date. Councilman Johnson asked if the property was built in the past and it did not meet the code would it be a violation. Mr. Martelli responded that those historical buildings generally are exempt unless there was a major violation. Councilman Etheridge said the people would have 60 days to correct the violation and he asked how the people would be notified, especially heirs' property. Mr. Martelli said the owner of record would be notified and they would be mailed out to the same people that are sent the assessment notices. Mr. Edge added that the properties would also be posted. Mr. Martelli said each situation would be looked at individually and any life or safety issues would be cited. Mr. Martelli said that things that are unsafe, hazardous and detrimental to the people living there would be cited. Mr. Martelli said all future construction would have to conform to the ordinance. The motion carried with all members present voting in favor.

Ronnie Malphrus -2nd Reading of an ordinance authorizing St. Peters Parish/Jasper County Public Facilities Corporation to accept a loan from South Carolina Public Service Authority for the purpose of financing an industrial building; providing for conveyance of real property to St. Peters Parish/Jasper County Public Facilities Corporation for the location of an industrial building; and other matters relating thereto – Mr. Malphrus explained that the property is located in CRBIP and that the St. Peters Parish/Jasper County Public Facilities Corporation is the same corporation the County used when the Government Building was built. Mr. Malphrus said Santee Cooper was providing a loan in the amount of \$850,000 and a grant was received in the amount of \$350,000 from SC Dept. of Commerce for spec building at CRBIP. Mr. Malphrus said that this was a requirement for the loan from Santee Cooper. Councilman Etheridge moved and Councilman Johnson seconded the motion that this be 2nd Reading of an ordinance authorizing St. Peters Parish/Jasper County Public Facilities Corporation to accept a loan from South Carolina Public Service Authority for the purpose of financing an industrial building; providing for conveyance of real property to St. Peters Parish/Jasper County Public Facilities Corporation for the location of an industrial building; and other matters relating thereto. The motion carried with all members present voting in favor.

Andrew Fulghum- 1st Reading of the Ordinance to amend the FILOT agreement with Daniel Defense- Mr. Fulghum explained that the first FILOT did not address the millage for the Town of Ridgeland. Mr. Fulghum said the ordinance authorizes the millage change from 347.25 to 461.45 which would include the Town of Ridgeland. Vice Chairman Sauls asked if it would be retroactive to 2012 and Mr. Fulghum said it would not. Vice Chairman Sauls moved and Councilman Etheridge seconded the motion that this be the 1st Reading of the Ordinance to amend the FILOT agreement with Daniel Defense. The motion carried with all members present voting in favor.

Resolutions

Andrew Fulghum – Resolution to designate April, 2015 as Fair Housing Month in Jasper County and Andrew Fulghum – Resolution to renew the Equal Opportunity Plan heretofore adopted by Resolution 05-02 – Mr. Fulghum explained that these resolutions were passed every year and necessary to be eligible for certain grant funding. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to approve the Resolution to designate April.

2015 as Fair Housing Month in Jasper County. The motion carried with all members present voting in favor. Vice Chairman Sauls moved and Councilman Etheridge seconded the motion to approve the Resolution to renew the Equal Opportunity Plan heretofore adopted by Resolution 05-02. The motion carried with all members present voting in favor.

Wilbur Daley – Resolution approving a vehicle trade with the Ridgeland Fire Dept. – Mr. Daley presented the resolution regarding the vehicle trade with the Ridgeland Fire Dept. Councilman Johnson moved and Vice Chairman Sauls seconded the motion to pass the Resolution approving a vehicle trade with the Ridgeland Fire Dept. The motion carried with all members present voting in favor.

Old Business – None.

New Business

Ronnie Malphrus – Approval of Smith Data Contract – Mr. Malphrus explained that the two contracts are renewed annually and they are for software and forms. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to approve the Smith Data Contracts. The motion carried with all members present voting in favor.

Wilbur Daley –Request to apply residual funds to purchase of fire equipment- Mr. Daley explained that when the contracts for the tankers were issued a penalty clause was included. The penalty was \$100 per day and currently the penalties amounted to \$10,600 and he requested permission to use those funds to buy equipment for the tankers and truck. Vice Chairman Sauls asked if the penalty was money or a credit. Mr. Daley said they will send the money and he will ask them to purchase the equipment. Mr. Malphrus said it would be a credit and the final two tankers are not paid for. Mr. Daley said that the equipment would be for all 5 tankers and once the last two are delivered they can utilize the credit. Mr. Daley said the equipment would be drop-shipped to the County. Vice Chairman Sauls asked if they had to have the equipment and Mr. Daley responded the equipment is needed. Councilman Johnson moved and Vice Chairman Sauls seconded the motion to approve that the residual funds be used to purchase fire equipment. The motion carried with all members present voting in favor.

Wilbur Daley – Request to use savings from ambulance purchase for fire equipment – Mr. Daley informed the Council that the new ambulance came in \$28,000 under budget and he requested permission to use the funds for radios for the new trucks. Mr. Daley said the radios cost about \$25,000. Councilman Etheridge said he thought when the trucks were ordered they were to be equipped with everything, and if the radios are \$5,000 where would Mr. Daley have gotten the money to pay for the radios if the ambulance did not come it under budget. Mr. Daley said it is something they have to have and Motorola makes the radios. Councilman Johnson commented that he keeps hearing that Motorola is going to pull the plug and it is going to cost a huge amount of money to replace the radios. Mr. Daley said the radios would be compliant and there is a deadline of 2017 and all radios would have to be compliant. Councilman Johnson asked if Motorola was not going to supply upgrades, everything the County has would have to be replaced. Mr. Daley said some of the radios will be able to be

upgraded. Councilman Etheridge moved and Councilman Johnson seconded the motion to approve the request to use savings from the ambulance purchase for fire equipment. The motion carried with all members present voting in favor.

Committee Reports – Councilman Etheridge reported that the Council had a good retreat and they received an update from the Sheriff and he hoped the Sheriff’s plans will make things better for the citizens. Chairman Etheridge said he attended the meeting in Hardeeville where they discussed the Hardeeville Comprehensive Plan and he said he made a commitment to help in any way he can. Councilman Etheridge said that he met with the Sav. River Maritime Commission meeting and they were told that permits would be issued in 2015, but they may not be filed. Councilman Etheridge added that Charleston does not have a permit to dredge. Councilman Etheridge said he met with Phil Richardson regarding economic development and he also visited BE GREEN. Councilman Etheridge said that BE GREEN has hired 10 new employees and plans to hire 1-20 more. Councilman Etheridge said that BE GREEN has 2 machines running and there were 4 more to go and the plant will be operating 7 days a week. **Vice Chairman Sauls** reported that he attended the Maritime Commission meeting and he provided an update of the Chamber’s events. **Councilman Johnson** reported that he met with Senator Davis and received an update on the Port. Councilman Johnson said they are trying to be team players, but it seems that things only go one way. Councilman Johnson said he met with the Independence Fund and it has gotten off to a slow start based on assumptions that good intent will get you places. Councilman Johnson said the Independence Fund is reorganizing and rethinking their original plans. Chairwoman Clark said that she attended all the same meetings plus meetings she attended with the administrator. Chairwoman Clark commended the Jasper Hardeeville High School’s boys’ basketball team for being 1st in the Region and 2nd in the State. Chairwoman Clark also commended the girls’ basketball team for being Region Champions.

Administrator’s Report- Mr. Fulghum said he was working on an action plan from the retreat. Mr. Fulghum said that a special called Transportation Committee Meeting is going to be held on March 25, 2015 regarding the bridge removal on Speedway Blvd. Mr. Fulghum told the Council he also sent a letter of opposition to the bridge removal. Mr. Sears, SCDOT representative will be present at the special called meeting. Mr. Fulghum also discussed the trees in the median of I-95 and a formal request was made to SCDOT. Mr. Fulghum said that the request to start in the winter of 2015 if approved. Vice Chairman Sauls asked if they were going to remove the trees and Mr. Fulghum responded that is the proposal and he was not sure what will replace the trees. Vice Chairman Sauls said he felt the bridge removal would be detrimental to the Port Project and economic development.

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 – There were no public comments.

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

The meeting ended at 7:45 p.m.
Respectfully submitted by:

Judith M. Frank, ccc
Clerk to Council

Approved by:

Barbara B. Clark
Chairwoman