



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

COUNCIL CHAMBERS
April 15, 2013, 4:30 P.M.
MINUTES

4:30 P.M.

WORKSHOP

OFFICIALS PRESENT: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman D. Thomas Johnson

OFFICIALS ABSENT: Councilman L. Martin Sauls, IV

STAFF PRESENT: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Attorney Marvin Jones

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.

CALLS TO ORDER – Chairman Etheridge called the Budget Workshop to order at 4:30 p.m.

CAROL ADAMS – JARM – Carol Adams listed the responsibilities of JARM and the animal shelter. Ms. Adams requested \$180,000 plus money added to the County budget to make repairs at the shelter. Ms. Adams said the budget for the shelter is \$340,000 and they have fund raisers, adoption fees, the thrift store and donations that make up the deficit from what the County provides. Ms. Adams said the shelter averages about 112 animals per month. Ms. Adams said they have been very successful in getting the animals adopted. Vice Chairwoman Clark asked if the municipalities provide any funding. Ms. Adams said the Town of Ridgeland gives them a discount on the water bill and Hardeeville has given \$3,000, but it is sporadic. Chairman Etheridge asked how long they keep the animals and Ms. Adams said until they are not adoptable. Councilman Johnson asked what they do to try and find the owners of the stray animals. Ms. Adams said if they have identification or a chip they contact the owners. Vice Chairwoman Clark asked about Misc. and Office Expenses. Ms. Adams said that was to cover meetings, printings, and a dinner for their volunteers and items for the shelter.

CARL ROACHE – COUNCIL ON AGING – Mr. Roache requested \$125,000 and explained that they had been billing LCOG incorrectly and had to pay back \$74,375.98 and the overbilling will

cost them \$1,000 per month for the next 64 months. Mr. Roache discussed the meals on wheels program and the activities at the Senior Centers. Vice Chairwoman Clark asked Mr. Roache to send Mr. Fulghum an explanation as to what the Misc. line in his budget was used for. Mr. Roache said he was asking for the addition \$25,000 this year due to the decrease in the number of units and a decrease in the funding stream. Councilman Johnson asked if they did more than feed the people and Mr. Roache said they provide transportation to doctors. Councilman Drayton asked what caused the overbilling and Mr. Roache said they were billing for the driver and the driver should not have been billed since they were paid. Councilman Drayton asked if they could ask for forgiveness as sometimes they will allow that. Mr. Roache said they didn't work. Chairman Etheridge asked if they were serving all the senior citizens who wanted to be served and Mr. Roache said that they have a waiting list and they do what they can within the bounds of their budget. Chairman Etheridge said he was concerned about those people who were not being served.

ANNE WALKER - BOYS AND GIRLS CLUB – Anne Walker had her board members discuss the Boys and Girls Club. Debbie Beck discussed the major fundraising events and the A-tax fund that they receive. Chairman Etheridge asked for a copy of their budget and audit and a copy of the funding the County provided. Councilman Drayton asked about the event that was held over the weekend. Ms. Beck said there was a wellness walk by the Ridgeland Fire Department and a basketball game that the preachers and deacons held. Mr. Beck said they were both fundraisers for the Boys and Girls Club. Ms. Beck said the graduation rate of the children who attend the Boys and Girls Club has increased and they are also finding jobs. Mr. Chris Cross, the CEO of the Boy and Girls Club of the Lowcountry said that the Jasper Boys and Girls Club has more teens than any other County and they are serving 90 members per day. Mr. Cross said the children are in a safe environment and are doing positive activities. Mr. Cross said the children are also served snacks prior to going home. Mr. Cross listed the priorities of the Boys and Girls Club and thanked the Council for their support. Vice Chairwoman Clark asked if the children are tested and Mr. Cross said the schools do the testing and notify them of there are any special needs. Vice Chairwoman Clark asked if energy drinks were discussed and Ms. Walker said that they are addressed as are other health and safety issues. Ms. Walker said that they applied for a special grant to provide a hot meal each day. Roy Prior said that the graduation rate of the children who participate in the Boys and Girls Club is 100%. Mr. Prior said they were working on getting some new equipment for the kitchen. Councilman Johnson asked about participation. Ms. Walker said all the children in school in Jasper County are eligible to participate and they keep them to 7:00 p.m. Vice Chairwoman Clark asked if they have applied for any grants for the building and Ms. Walker said they are okay where they are. Councilman Johnson asked if the children came there from school and Ms. Walker said they come on the buses, but Hardeeville will not bus the children to Ridgeland. Vice Chairwoman

Clark said those children go to the Agape Center. Chairman Etheridge thanked them for the great job they are doing.

JOLLIE ORR - RIDGELAND LITTLE FOOTBALL/ CHEERLEADING – Mr. Orr said they were requesting funding to buy new helmets that cost about \$100 and they hoped to purchase 33 helmets and 32 warm-up suits for the cheerleaders at \$42 each. Mr. Orr said they would appreciate any help the Council could provide. Chairman Etheridge asked if they were the only little league football and cheerleading group in the County and Mr. Orr said they were. Vice Chairwoman Clark asked for a copy of their budget and how much they take in and what is spent. Vice Chairwoman Clark asked that they provide revenue and an expense report.

ANDREW FULGHUM – PRESENTATION OF BUDGET – Mr. Fulghum provided the Council with the staff recommended budget and said that it was a good starting point. Mr. Fulghum provided the Council with the increases and decreases in revenue and also a budget performance report. Mr. Fulghum said the budget he presented does not cause a millage increase and there were no new vehicles, no new positions with the exception of 1 new employee in dispatch, and no cost of living increases. Mr. Fulghum said they do not have the school district millage as it has not been provided yet. Mr. Fulghum also provided an adoption schedule. Vice Chairwoman Clark questioned having the 1st reading prior to receiving the school district's budget. Mr. Fulghum said that this has been done in the past. Vice Chairwoman Clark said the Council needed a copy of the school district budget prior to May 6, 2013. Mr. Malphrus provided information additional information including the SCANA payments and the revenue expense report as of March 31, 2013. Vice Chairwoman Clark said that she wanted a list of all the phones and fax lines.

The budget workshop adjourned at 6:10 p.m.

6:00 P.M.

OFFICIALS PRESENT: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman D. Thomas Johnson

OFFICIALS ABSENT: Councilman L. Martin Sauls, IV

STAFF PRESENT: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Attorney Marvin Jones

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CALL TO ORDER –Chairman Etheridge called the meeting order at 6:12 p.m.

EXECUTIVE SESSION - 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 – JASPER OCEAN TERMINAL; LEASE AGREEMENT BETWEEN JASPER COUNTY AND BROWN CAMPBELL; LEGAL UPDATE CONCERNING THE ONLINE TRAVEL COMPANIES LITIGATION – Vice Chairwoman Clark motioned and Councilman Johnson seconded the motion to go into executive session for the 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 – Jasper Ocean Terminal; lease agreement between Jasper County and Brown Campbell; legal update concerning the online travel companies litigation. The motion carried with all members present voting in favor.

RETURN TO OPEN SESSION - Vice Chairwoman Clark motioned and Councilman Johnson seconded the motion to return to open session. The motion carried with all members present voting in favor.

No action was taken as a result of executive session.

7:00 P.M.

OFFICIALS PRESENT: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman d. Thomas Johnson

OFFICIALS ABSENT: Councilman L. Martin Sauls, IV

STAFF PRESENT: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Attorney Marvin Jones, Director of Engineering Services Dale Terry, Director of Emergency Services Wilbur Daley

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CALL TO ORDER – Chairman Etheridge called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE – Chairman Etheridge led the pledge of allegiance

INVOCATION – Vice Chairwoman Clark gave the invocation.

APPROVAL OF THE AGENDA – Chairman Etheridge said that item D on the agenda would not be discussed and no action would be taken until the next Council meeting. Vice Chairwoman Clark motioned and Councilman Drayton seconded the motion to approve the agenda and to remove item D. The motion carried with all members present voting in favor.

PROCLAMATIONS AND PRESENTATIONS -JEANINE BOSTICK – REQUEST TO USE THE GRAY’S SENIOR CITIZENS’ BUILDING FOR THE GRAYS POLLING LOCATION – Ms. Bostick and Rev. Sheftall requested permission to use the Grays’ Senior Center for the Grays’ polling location. Rev. Sheftall said they were looking for a new location since the current location was not adequate. Vice Chairwoman Clark asked what happens if the seniors want to use the building. Chairman Etheridge said the seniors do not use the building everyday so there should not be a problem. Councilman Drayton asked why the address of the building was Early Branch and Councilman Johnson said it was on an Early Branch mail route. Vice Chairwoman Clark motioned and Councilman Drayton seconded the motion to approve the request to use the Grays Senior Center for the Grays polling location. The motion carried with all members present voting in favor. Chairman Etheridge asked Ms. Bostick to notify the Dept. of Justice and Mr. Carl Roache, Director of the Council on Aging.

ORDINANCES

MARVIN JONES- PUBLIC HEARING AND 3RD READING OF AN ORDINANCE TO AUTHORIZE THE ADMINISTRATOR TO CONVEY CERTAIN PROPERTY ADJACENT TO TURPIN PARK TO THE TOWN OF RIDGELAND- Mr. Jones reviewed the ordinance and explained the location of the parking area being retained by the County. Mr. Jones explained that the plat was not attached because the ordinance was amended to include the ordinance. Chairman Etheridge opened the public hearing; there were no comments; Chairman Etheridge closed the public hearing. Councilman Johnson motioned and Vice Chairman Clark seconded the motion to approve the amendment to the ordinance. The motion was carried with all members present voting in favor. Councilman Johnson motioned and Vice Chairwoman Clark seconded the motion that this be the public hearing and 3rd reading of an ordinance to authorize the administrator to convey certain property adjacent to Turpin Park to the Town of Ridgeland. The motion carried with all members present voting in favor.

ANDREW FULGHUM – PUBLIC HEARING AND 3RD READING OF THE ORDINANCE O RENEW THE LEASE AGREEMENT BETWEEN JASPER COUNTY AND THE UNITED WAY – Mr. Fulghum said that the Council would hold the public hearing, but the 3rd reading of this ordinance would be

delayed until the next Council meeting. Chairman Etheridge opened the public hearing; there were no comments; Chairman Etheridge closed the public hearing.

LeNOLON EDGE – PUBLIC HEARING AND 1ST READING OF AN ORDINANCE TO APPROVE a PDD AND MASTER PLAN AT PALM KEY – Mr. Edge explained that this public hearing was for an application for a PDD and Master Plan for 60 acres on Knowles Island Road that contained 73 units and a chapel. Mr. Edge said the development includes a recreation facility, cottages, community center, multi-family units and storage. Ms. Rigg discussed the history of the project and the concept to facilitate wellness through nature and the arts. Ms. Rigg reviewed the history of the development since its inception. Ms. Rigg said that 3 years ago the Independence Fund approached them with plans and discussed the purpose and they joined together to reach a goal. Ms. Rigg said they wanted to create a place where wounded soldiers could come and be together and the area would be self-contained. Ms. Rigg said there would be cottages and facilities around the duck pond would be for overnight travel. Ms. Rigg said a buffer would be established so the neighbors would be happy. Ms. Rigg said the Independence Fund has an agreement to sell portions of the land and the money would go towards paying off the property. Councilman Johnson asked if there was any legal commitment that this would be devoted to the veterans. Ms. Rigg said the Independence Fund will own it and the next step would be to build the homes. Ms. Rigg said as the land transfers the debt would be released. Vice Chairwoman Clark said that the Sgt. Dan event is scheduled to be held in Beaufort at the Waterfront Park. Ms. Rigg said that neither she nor her husband would own any of it, but they would be there to help. Chairman Etheridge asked Ms. Rigg if she was only selling the land it to the Independence Fund and the Independence Fund would do the building. Ms. Rigg said that Medco and Kidco own two buildings and they are not part of the proposal. Ms. Rigg said she owns the office building and she won't own anything else. Ms. Rigg said that the Independence Fund is a National Organization and the principal investors are a reservist and his wife who is a JAG officer and they have an office in Beaufort and they reach out to all the military. Chairman Etheridge opened the public hearing. **Linda Davenport** explained that she was married to a career marine who stepped on a land mine and she supported the wounded warriors. Ms. Davenport said her concerns were where the funds would come from since the Independence Fund only has \$27,000. Ms. Davenport asked about the traffic impact and she wanted to know if this idea did not fly, what would go in there next. Ms. Davenport said the master plan included a hotel and they are requesting some commercial buildings. **Christopher Nash** said that he is a resident of Palm Key and said some of the concerns at the Planning Commission were discussed and that they requested that SCDOT do a traffic study. He asked if this was done and he said it was a concern to him. Mr. Nash said that 2 areas on the plan Ms. Rigg presented, the area colored green where 25 cottages with docks are planned, the County has it in the description as open land for Palm Key and the 2 of the 3 lots depicted in orange on Ms. Rigg plan the owners were led to believe that this area was a public area and a play area and the

parking area was taken away. Mr. Nash said the blue area on Ms. Rigg map is the area for a treatment center and Mr. Nash was concerned that the veterans being treated for Post-Traumatic Stress could hear the jets and military activity and those things were stimulus for those people and how would they deal with that to ensure the safety of the neighbors. Mr. Nash said he appreciated the service of the veterans, but they have to think about their community first before bringing these people in. Vice Chairwoman Clark said that there are numerous injuries that require special medical attention and they do not have a medical facility to handle this and that would put an additional strain on EMS. Vice Chairwoman Clark said there have been previous plans presented for commercial and residential and this plan needs to be thoroughly reviewed. Vice Chairwoman Clark said they were directed to get a traffic study and that will have to be done before this moves forward. Vice Chairwoman Clark said they have to get the answers to their questions and they will be looking at it carefully. **Elaine Jucka** said she was a resident of Palm Key and she opposed the master plan and would like to see the meeting house moved. She said she would like to see income cottages on page 8 struck from the plan and that the traffic not be allowed into the current community. **Nancy Scott** said that Ms. Rigg referred to the 11 acres represented in white area on the plan and Ms. Scott said that Ms. Rigg does not own that property, she did and she did not own it by choice. Ms. Scott said that Ms. Rigg defaulted on a loan on another scheme of Judy Rigg and that is how she (Ms. Scott) ended up owning the 11 acres. **Greg Euhow** said he lived in Palm Key and he was concerned about the trails and what would happen when 290,000 sq. ft. of buildings go in there. Mr. Euhow asked if an EPA study was done and he would like to see engineered drawings, blueprints. Mr. Euhow said they do not meet the drawing Ms. Rigg presented. **Gail Blues** said she lives on Palm Key and know from experience what it is to live with a wounded warrior. Ms. Blues said you have plans to have a medical team there for the people and have backup to help them. Ms. Blues said there is nothing in the plans for a hospital and you will need full-time fire and rescue and she asked how they planned to evacuate the wounded warriors in the event of a hurricane. Ms. Blues said she would like to see everything in writing and they have to abide by the rules Ms. Blues said that she supported the wounded warriors but you need to have in writing what is needed and a fire station and an EMS station would need to be there. **Chuck Leeder** said he was a home owner on Knowles Island and a volunteer for the wounded warriors and they supply their food and watch over them. Mr. Leeder said that medical science has come a long way and in three years there have been no incidents that needed the EMS. Mr. Leeder said this was a new organization and the revenue fluctuates and they help them with mortgages and equipment. Mr. Leeder said there would be minimal traffic on that road and he supports the program and would not put anyone in jeopardy. **Don Gambert** said he lived about ¾ mile from Palm Key and he has friends who live in Palm Key and Knowles Island. Mr. Gambert said that he volunteers for the Independence Fund and they have never had an EMS emergency. Mr. Gambert said it is unbelievable what happens when the

wounded warriors come together and said the people should come and spend some time there. Mr. Gambert said he knows when the fire station is manned and he is not worried. Mr. Gambert said there will just be more houses and people who have sacrificed themselves for their Country. **Linda Davenport** said that as of April 1, 2013 Meedco was not registered with South Carolina. Ms. Rigg said it was a general partnership and was registered as Marsh Island and she will provide the County with documentation. Ms. Rigg said the lake will be community property and the lake is open land. Ms. Rigg said they people staying in the cottages will have to sign documents said they will not consume alcohol or drugs and that no guns will be on the property. **Beverly Bishop** said that she has a home and owns land at Palm Key and she felt it was a good investment for her and that the area was protected from development. Ms. Bishop said that from the beginning Ms. Rigg hope was to have a wellness center for people who are well and to learn about wellness. Ms. Bishop said that the plans have now changed and it sounds like a VA hospital. Ms. Bishop asked about the number of guests and the density. Ms. Bishop said these things concern her and this idea was not discussed with her when she bought property at Palm Key. **Randy Carter**, said he spent 29 years and 3 days as a marine and the people are complaining about what will happen in our community, why not take care of the people who took care of us. Mr. Carter said the plan needs to be fully developed and explained. Mr. Carter said we cannot pick our neighbors and the people needed to step down from their high horses. Mr. Carter said the people owe it to the County to make it better and he has a vested interest in the County. Mr. Carter said why can't the people who spent years hospitalized come to Jasper County and enjoy the Low Country. Mr. Carter said we owe it to them. Mr. Carter said that some things need to be done and questions needed to be answered and they needed volunteers who would meet and greet those young men and women. **Bill Long** said he was not from the community but he was a Viet Nam vet and the people spit on him when he came home and he was ashamed that the people were spitting on the wounded warriors instead of reaching out to help them. Mr. Long said the wounded warriors are not criminals, they gave everything for us and we needed to honor them, not condemn them. Mr. Long said the emotional misunderstanding is understandable; the issues should be separate as to how the land is to be used. Being no further comments, Chairman Etheridge closed the public hearing. Councilman Drayton motioned and Vice Chairwoman Clark seconded the motion that this be the public hearing and 1st reading of an ordinance to approve a PDD and Master Plan at Palm Key. The motion carried with all members present voting in favor. Vice Chairwoman Clark said that there were a lot of questions with regards to this project and the areas shown by Ms. Rigg were colored wrong and misidentified. Vice Chairwoman Clark said a traffic study was to be done and a plan needs to be done so that everyone is on the same page and only when everything is done that needs to be done, can this ordinance move forward. Chairman Etheridge said the Council asked for a few things that have not been provided and they were still waiting on a Master Plan and drawings from an engineer, a Development

Agreement and a traffic study. Chairman Etheridge said Ms. Rigg needed to provide these things before this can move forward. Chairman Etheridge said a 2nd reading of this ordinance will not be scheduled until all items requested are provided.

RESOLUTIONS

ANDREW FULGHUM – RESOLUTION AUTHORIZING CBDG APPLICATION FOR OLD BAILEY ROAD SEWER PROJECT – Mr. Fulghum discussed the project for Old Bailey Road and asked to be authorized to apply for the CBDG grant. Mr. Fulghum said that 107 people will benefit from this project. Mr. Fulghum said there would be a \$38,950 match for the grant. Councilman Johnson motioned and Councilman Drayton seconded the motion to approve the resolution authorizing the CBDG application for the Old Bailey Road Sewer Project. The motion carried with all members present voting in favor.

OLD BUSINESS- There was no old business.

NEW BUSINESS- There was no new business.

COMMITTEE REPORTS – Vice Chairwoman Clark reported that she met with Mr. Richardson and they were working on a work readiness program and they would be submitting the application by May 1, 2013. Vice Chairwoman Clark said she attended State House Day and she felt it was very productive and she met with the SCDOT Commissioner, Senators and Representatives from across the state. Vice Chairwoman Clark said she was still looking at the roads and buildings and they were trying to get things done. Vice Chairwoman Clark said that she met with the Royal Oaks Academy, Mr. Fulghum and Mr. Terry concerning having the traffic light reactivated and keeping the children safe. Vice Chairwoman Clark said that she and Chairman Etheridge met with Sheriff Jenkins and Chief Hughes and they are working on having a better working relationship with the Sheriff's department. **Chairman Etheridge** said he also attended State House Day and discussed the Back River Bridge with the SCDOT commissioner and told him they thought it needed to be a four lane bridge. Chairman Etheridge said he also visited Barnwell County to see how they handled EMS. Chairman Etheridge announced there would be a budget workshop on Monday, April 22, 2013 at 4:30 p.m.

ADMINISTRATOR'S REPORT – Mr. Fulghum provided the Council with this report and said he would be happy to respond to any questions. Mr. Fulghum said he received a new intergovernmental agreement from the Solicitor and it has increased \$80,000. Mr. Fulghum said the increase is for an investigator position. Mr. Fulghum said the total proposal is for \$150,000 with the County paying \$75,000 and the municipalities each paying \$37,500. Mr. Fulghum said the draft budget does not include this increase. Mr. Fulghum suggested that the Solicitor come to a budget workshop and make a presentation. Mr. Fulghum said he would like to work with the Chairman on the Capital Project Sales tax and schedule a workshop to have

Alliance Consulting present a proposal. Mr. Fulghum said he sent a letter, Hardeeville sent a letter and Rep. Herbkershman sent a letter concerning the US 17 Back River Bridge Project. Mr. Fulghum said the Savannah River Maritime Commission was meeting on April 17, 2013 at 9:30 a.m. in Charleston, SC and he would be attending the meeting with Chairman Etheridge and Councilman Johnson.

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

ADJOURN– Vice- Chairwoman Clark motioned and Councilman Johnson seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 9:00 p.m.

Respectfully Submitted By:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Henry Etheridge
Chairman