



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

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**COUNCIL CHAMBERS**  
**MAY 7, 2012, 4:00 P.M.**

**MINUTES**

**OFFICIALS PRESENT:** CHAIRMAN SAMUEL GREGORY, VICE CHAIRMAN MARTIN SAULS IV, COUNCILMAN HENRY ETHERIDGE, COUNCILMAN LEROY BLACKSHEAR, COUNCILMAN THEODUS L. DRAYTON

**STAFF PRESENT:** ADMINISTRATOR ANDREW FULGHUM, DEP. ADM. GEORGE HOOD, 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, I-T DIRECTOR EARL BOSTICK, PARKS AND RECREATION DIRECTOR JOHNNY DAVIS, ACTING PLANNING DIRECTOR LISA LAMB, HR DIRECTOR GLORIA LUCAS, ROD PATSY GREENE, BUSINESS LICENSE COORDINATION RENTY KITTY

**STAFF ABSENT** – DELINQUENT TAX COLLECTOR RHONDA MITCHELL, ASSESSOR SUSAN WAITE

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/WORKSHOP 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 ETHERIDGE MOTIONED AND VICE CHAIRMAN SAULS SECONDED THE MOTION TO APPROVE THE AGENDA.

**APPROVAL OF THE MINUTES OF THE 4/16/2012 MEETING, 4/18/2012 AND 4/25/2012 BUDGET |WORKSHOPS** – COUNCILMAN DRAYTON MOTIONED AND COUNCILMAN BLACKSHEAR SECONDED THE MOTION TO APPROVE THE MINUTES OF THE 4/16/2012 MEETING, 4/18/2012 AND 4/25/2012 BUDGET WORKSHOPS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**PROCLAMATIONS AND PRESENTATION -PAM ALTMAN AND LINDA DALEY - REQUEST TO USE COUNTY CENTENNIAL LOGO FOR GOPHER HILL MARKETING ITEMS** - MS. ALTMAN ASKED FOR PERMISSION TO USE THE COUNTY CENTENNIAL LOGO ON MARKETING ITEMS FOR THE GOPHER HILL FESTIVAL. MS.

ALTMAN SAID THE PROCEEDS FROM THE SALE OF THE ITEMS WOULD HELP PAY FOR THE GOPHER HILL FESTIVAL. COUNCILMAN DRAYTON ASKED IF THEY WOULD BE USING THE NEW SEAL AND MR. FULGHUM SAID THAT IS THE ONE THAT WOULD HAVE TO BE USED. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION TO GRANT PERMISSION TO THE GOPHER HILL FESTIVAL COMMITTEE TO USE THE COUNTY LOGO ON PROMOTIONAL ITEMS. COUNCILMAN DRAYTON ASKED IF THEY WOULD BE USING THE LOGO AND ALSO A NARRATIVE RECOGNIZING THE CENTENNIAL AND THE MS. ALTMAN SAID THEY MAY, BUT IT WOULD NOT BE WRITTEN ON THE SEAL. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

CHAIRMAN GREGORY RECOGNIZED BILL BOWERS. MR. BOWERS SAID HIS GRANDFATHER REPRESENTED THIS AREA 100 YEARS AGO AND MR. BOWER IS REPRESENTING IT TODAY.

HELEN PITTMAN, REPRESENTING SENATOR PINCKNEY, PRESENTED A SENATORIAL RESOLUTION FOR JASPER COUNTY IN RECOGNITION OF ITS 100 YEARS. CHAIRMAN GREGORY THANKED SENATOR FOR THIS HONOR.

#### **ORDINANCES**

**LISA LAMB – 1<sup>ST</sup> READING ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A PROPERTY BEARING JASPER COUNTY TAX MAP NUMBER 087-00-07-004 LOCATED AT 6935 WEST FRONTAGE ROAD FROM THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP –** MS. LAMB EXPLAINED THAT THE PROPERTY HAS HISTORICALLY ALWAYS BEEN USED AS COMMERCIAL PROPERTY AND THE SECOND AFRICAN BAPTIST CHURCH WANTS TO USE THE PROPERTY FOR A BATTERED WOMEN’S SHELTER AND TO TUTOR CHILDREN . MS. LAMB TOLD THE COUNCIL THAT ALL THE SURROUNDING PROPERTIES ARE ZONED COMMUNITY COMMERCIAL. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A PROPERTY BEARING JASPER COUNTY TAX MAP NUMBER 087-00-07-004 LOCATED AT 6935 WEST FRONTAGE ROAD FROM THE RESIDENTIAL ZONE TO THE COMMUNITY COMMERCIAL ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**LISA LAMB – 1<sup>ST</sup> READING OF THE ORDINANCE TO CREATE WITHIN THE ZONING ORDINANCE OF JASPER COUNTY AN INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD) TO THE LIST OF SPECIAL PURPOSE DISTRICTS, TO AMEND SECTION 5:4 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO ADD A PURPOSE AND INTENT FOR THE INTERSTATE PROXIMITY DISTRICT (IPOD), TO AMEND ARTICLE 8 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO ADD SECTION 8:6 RELATED TO AN INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD), TO AMEND TABLE 4 OF ARTICLE 12 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO PROVIDE BUFFER YARD REQUIREMENTS FOR THE INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD), AND TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY –** MS. LAMB SAID THAT POINT SOUTH PARTNERS HAVE REQUESTED THE OVERLAY DISTRICT WHICH WOULD ALLOW LAND USE FLEXIBILITY. MS. LAMB SAID THE POINT SOUTH PARTNERS AND THE STAFF HAVE WORKED ON THIS ORDINANCE AND IT WILL APPLY TO ALL INTERCHANGES WITHIN JASPER COUNTY. MS. LAMB STATED THAT THE ORDINANCES ADDRESSES BOUNDARIES, SET BACKS, USE

REGULATIONS, BUFFER YARD REQUIREMENTS, AND SUPPORTING LAND USES. CHAIRMAN GREGORY SAID A WORKSHOP WAS NEEDED TO REVIEW THE ORDINANCE SO THAT EVERYONE HAS A CLEAR UNDERSTANDING OF WHAT IS BEING PROPOSED. COUNCILMAN DRAYTON ASKED ABOUT THE COMPREHENSIVE PLAN THAT IS UNDER REVIEW AND WOULD THIS FIT IN. MS. LAMB SAID IT DID AND POINT SOUTH WAS A PRIORITY AREA. COUNCILMAN ETHERIDGE SAID HE SPENT TIME WITH MS. LAMB REVIEWING THE ORDINANCE AND HE FELT IT WAS A GREAT THING FOR JASPER COUNTY'S TWO EXITS. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION THAT THIS BE THE 1<sup>ST</sup> READING OF THE ORDINANCE TO CREATE WITHIN THE ZONING ORDINANCE OF JASPER COUNTY AN INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD) TO THE LIST OF SPECIAL PURPOSE DISTRICTS, TO AMEND SECTION 5:4 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO ADD A PURPOSE AND INTENT FOR THE INTERSTATE PROXIMITY DISTRICT (IPOD), TO AMEND ARTICLE 8 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO ADD SECTION 8:6 RELATED TO AN INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD), TO AMEND TABLE 4 OF ARTICLE 12 OF THE JASPER COUNTY ZONING ORDINANCE SO AS TO PROVIDE BUFFER YARD REQUIREMENTS FOR THE INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD), AND TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**LISA LAMB – 1<sup>ST</sup> READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO CONFIRM THAT THE LOT AREA, YARD, AND SETBACKS FOR DUPLEXES AND TOWNHOUSES SHALL BE PRESCRIBED BY TABLE 1 OF SECTION 7:3 OF THE JASPER COUNTY ORDINANCE-** MS. LAMB SAID THAT THERE STAFF BECAME AWARE THAT THERE MAY BE CAUSE FOR CONFUSION WITH THE SIZE OF THE LOTS FOR TOWNHOUSES AND DUPLEXES. MS. LAMB SAID THIS ORDINANCE WILL CONFIRM THE LOT AREAS AND SETBACKS FOR THE TOWNHOUSES AND DUPLEXES AND MAKE THEM CONSISTENT. MS. LAMB SAID THE STAFF AND THE PLANNING COMMISSION RECOMMEND APPROVAL. 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 JASPER COUNTY ZONING ORDINANCE, AS AMENDED, SO AS TO CONFIRM THAT THE LOT AREA, YARD, AND SETBACKS FOR DUPLEXES AND TOWNHOUSES SHALL BE PRESCRIBED BY TABLE 1 OF SECTION 7:3 OF THE JASPER COUNTY ORDINANCE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RESOLUTIONS** - THERE WERE NO RESOLUTIONS.

**OLD BUSINESS - WILBUR DALEY – FIRE TOWER ROAD FIRE STATION** - MR. DALEY SAID HE HAS PROVIDED THE MATERIAL LIST AND THE PRICES. MR. DALEY DISCUSSED THE SITE NEEDING MORE DIRT WITH MR. TERRY AND MR. TERRY AGREED TO BRING DIRT TO THE SITE OF THE FIRE STATION. MR. DALEY SAID THEY HAVE BEEN WORKING ON THE SITE. CHAIRMAN GREGORY ASKED IF ANY ADVERTISING WAS DONE FOR VOLUNTEERS. MR. DALEY SAID IF THAT WAS WHAT THE COUNCIL WANTED HIM TO DO, HE WOULD DO IT. CHAIRMAN GREGORY SAID THEY NEED TO FIND OUT IF THEY CAN GET THE VOLUNTEER HELP. VICE CHAIRMAN SAULS SUGGESTED THAT THE NEWSPAPER DO AN ARTICLE ABOUT NEEDING VOLUNTEERS TO BUILDING THE FIRE STATION.

**NEW BUSINESS WILBUR DALEY – APPROVAL OF EMS PARKING LOT BIDS** – MR. DALEY SAID THAT WHEN THE PROJECT WENT OUT TO BID IN DECEMBER, 2011, ALL THE BIDS WERE FOR MORE MONEY

THAN THEY HAD AND SO HE WORKED WITH THE ENGINEERS TO CUT THE JOB BACK AND PUT IT OUT TO BID AGAIN. MR. DALEY SAID THEY WENT BACK TO THE TRANSPORTATION COMMITTEE AND GOT AN ADDITIONAL \$93,000. MR. DALEY SAID IT WENT BACK OUT TO BID ON APRIL 26, 2012 AND HE RECEIVED FIVE BIDS RANGING FROM \$257,489.89 TO \$343,910 WHICH WERE ALL LOWER THAN THE FUNDS HE HAS AVAILABLE. MR. DALEY ASKED THE COUNCIL TO APPROVE THE LOW BID FROM CLELAND SITE PREP IN AN AMOUNT NOT TO EXCEED \$283,206.97. CHAIRMAN GREGORY ASKED HOW MUCH MONEY DID THEY HAVE TO WORK WITH AND MR. DALEY SAID THEY HAD \$407,000 FROM THE TRANSPORTATION COMMITTEE. MR. FULGHUM SAID THEY WERE REQUESTING THAT THE COUNCIL APPROVE THE \$250,000 AND TO INCLUDE THE ITEMS THAT WERE ELIMINATED AND TO INCLUDE A 10% CONTINGENCY. MR. FULGHUM SAID THEY WANT TO NEGOTIATE THE ITEMS THAT WERE REMOV4ED AND THE ENGINEER HAS ESTIMATED THE COST OF \$35,000. CHAIRMAN GREGORY SAID THAT WILL STILL LEAVE A SURPLUS. COUNCILMAN DRAYTON SAID IF A PERSON IS IN CHARGE, HE NEEDS TO TAKE CHARGE AND NOT PIECE MEAL A PROJECT. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN SAULS SECONDED THE MOTION TO APPROVE THE LOW BID PLUS A 10% CONTINGENCY FROM CLELAND SITE PREP IN AN AMOUNT NOT TO EXCEED \$283,206.97. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RONNIE MALPHRUS – APPROVAL OF FIRE TRUCKS BIDS** – MR. MALPHRUS INFORMED THE COUNCIL THAT MR. DALEY RECEIVED A GRANT FROM THE USDA IN THE AMOUNT OF \$48,650 FOR A FIRE TRUCK. MR. MALPHRUS SAID THEY RECEIVED TWO BIDS AND THE BID FROM PALMETTO FIRE APPARATUS MET ALL THE REQUIREMENTS. THE FIRE TRUCK IS A 1989 PUMPER AND THE PRICE IS \$49,850. MR. MALPHRUS TOLD THE COUNCIL THAT THE GRANT IN THE AMOUNT OF \$48,650 AND THE \$1,200 BALANCE FROM MR. DALEY’S BUDGET WOULD COVER THE COST. VICE CHAIRMAN SAULS ASKED IF THE CHIEF INSPECTED THE TRUCK. MR. MALPHRUS SAID THEY WANTED COUNCIL’S APPROVAL, BUT WOULD NOT MAKE THE PURCHASE UNTIL THE TRUCK WAS INSPECTED. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE PURCHASE OF THE 1989 FIRE TRUCK FROM PALMETTO FIRE APPARATUS IN THE AMOUNT OF \$49,850 SUBJECT TO THE INSPECTION OF THE TRUCK. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**RONNIE MALPHRUS – APPROVAL OF FENCING FOR COMMUNICATIONS TOWER-** MR. MALPHRUS EXPLAINED THAT THE COMMUNICATION TOWER WAS BUILT ABOUT TWO YEARS AGO IN SWITZERLAND AND THE COUNTY HAS A STATE GRANT TO PAY FOR THE FENCING. MR. MALPHRUS SAID THEY RECEIVED 6 BIDS AND THE LOW BID DID NOT INCLUDE THE AMENDMENT. MR. MALPHRUS SAID THE NEXT LOWEST BID COVERED ALL THE REQUIREMENTS AND IT WAS FROM HENLEY CONSTRUCTION IN THE AMOUNT OF \$23,990. COUNCILMAN ETHERIDGE ASKED IF THE LOWEST BIDDER WANTED TO PLACE A BID THAT INCLUDED THE AMENDMENT AND MR. MALPHRUS SAID THEY DID NOT AND THEY WITHDREW THEIR BID. COUNCILMAN ETHERIDGE ASKED HOW MUCH MONEY THEY HAD FOR THE FENCING AND MR. MALPHRUS SAID ABOUT \$40,000. CHAIRMAN GREGORY ASKED WHY THE TOWER NEEDS TO BE FENCED IN. MR. MALPHRUS SAID FOR SAFETY ISSUES. VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE BID FROM HENLEY CONSTRUCTION IN THE AMOUNT OF \$23,990 AND THAT IT IS TO BE PAID FOR FROM THE GRANT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

LISA LAMB – CAMP LAKE JASPER –. MS. LAMB SAID THE PROPERTY WAS PREVIOUSLY APPROVED FOR TOWNHOUSES, BUT DUE TO THE ECONOMY THEY WERE NOT BUILT. MS. LAMB SAID THAT MCCLURE REAL ESTATE TOWN PARK, LLC IS CURRENTLY WORKING WITH THE CITY OF HARDEEVILLE TO DEVELOP AN RV RESORT, WHICH IS ADJACENT TO THE SERGEANT JASPER PARK. THE SUBJECT PROPERTY CONSISTS OF 24 PLUS ACRES AND WAS PREVIOUSLY KNOWN AS TOWNE PARK JASPER. THE SUBJECT PROPERTY IS LOCATED IN THE CITY LIMITS OF HARDEEVILLE AND THEREFORE REQUIRES APPROVAL OF THE PROJECT FROM THE CITY. MS. LAMB SAID THAT THE SOUTHERN AND WESTERN EMBANKMENTS OF THE LAKE (WHICH IS ADJACENT TO THE SUBJECT PROPERTY) ARE CURRENTLY OWNED AND MAINTAINED BY JASPER COUNTY. MIS LAMB ADDED THAT THE EXISTING STORM WATER OUTFALL PIPE FOR THE PROPOSED PROJECT IS LOCATED ALONG THE WESTERN EMBANKMENT. MS. LAMB SAID THAT MCCLURE REAL ESTATE TOWN PARK, LLC APPROACHED JASPER COUNTY TO DISCUSS AN ACCESS EASEMENT TO THE COUNTY OWNED LAKE AS WELL AS A DRAINAGE EASEMENT. MS. LAMB EXPLAINED THAT THE PROPOSED PROJECT IS AN RV RESORT AND THEREFORE IT IS ANTICIPATED THAT CAMPER'S WILL UTILIZE THE EMBANKMENT FOR THEIR ENTERTAINMENT ULTIMATELY CREATING A POTENTIAL LIABILITY FOR THE COUNTY. IN ORDER TO MITIGATE THE POTENTIAL LIABILITY THE DEVELOPERS HAVE PROPOSED THE FOLLOWING:

1. LAND SWAP SUBJECT TO THE FOLLOWING:

- a. COUNTY – WILL BE PROVIDED WITH THE FUTURE PARCEL (SEE EXHIBIT), CONSISTING OF 3.65 ACRES. COUNTY WILL AGREE TO ENCUMBER THIS PARCEL WITH A NON-COMPETE AGREEMENT.
  - b. DEVELOPER – WILL RECEIVE 100' OF LAKE PROPERTY (+/- 2.30 ACRES), AS SHOWN ON EXHIBIT ALONG WITH UNLIMITED ACCESS FOR HIKING AND FISHING IN THE PARK FOR RESORT CUSTOMERS AT NO COST. THE DEVELOPER WILL BE ALLOWED TO INSTALL ONE BOARDWALK/GAZEBO OF A LENGTH NO GREATER THAN 30' FROM THE REVISED PROPERTY LINE. THE BOARDWALK/GAZEBO WILL BE OF SIMILAR DESIGN LOCATED WITHIN SERGEANT JASPER PARK. DEED FROM THE COUNTY WILL CONTAIN A REVERSION CLAUSE PROVIDING THE 2.3 ACRE PARCEL WILL REVERT TO THE COUNTY IF DEVELOPER DOES NOT RECEIVE A CERTIFICATE OF OCCUPANCY (CO) FOR THE RV RESORT CONSISTENT WITH THE PLANS WITHIN 5 YEARS.
  - c. THIS LAND SWAP AGREEMENT IS SUBJECT TO APPROVAL BY SOUTH CAROLINA PARKS & RECREATION TOURISM REQUIRING NO PAYMENT FROM JASPER COUNTY TO THE STATE OF SOUTH CAROLINA.
2. LAKE DREDGING – THE DEVELOPER WILL HAVE THE RIGHT TO DREDGE THE LAKE IF THEY DEEM IT TO BE NECESSARY. ALL DREDGING OPERATIONS WILL BE ALLOWED TO HAPPEN FROM COUNTY PARK PROPERTY BASED UPON A MUTUALLY AGREED LOCATION DETERMINED BY SITE FACTORS AT TIME OF CONSTRUCTION. WORK SHALL BE COMPLETED WITHIN 36 MONTHS OF COUNTY'S APPROVAL OF THIS AGREEMENT.
3. STORM WATER – STORM WATER PLANS SHALL BE SUBJECT TO APPROVAL BY THE COUNTY'S ENGINEER. THE DEVELOPER WILL PAY TO THE COUNTY THE ACTUAL COST TO REVIEW THE PLANS NOT TO EXCEED \$2,000.00.
4. SEWER AND WATER CAPACITY – THE DEVELOPER WILL PAY FOR THE SEWER AND WATER CAPACITY NEEDED FOR THE FUTURE RESTROOM FACILITIES LOCATED AT IN SERGEANT JASPER PARK UPON AVAILABILITY FROM BJWSA

5. RULES AND REGULATIONS - DEVELOPER AGREES THAT IT SHALL SUBJECT THE 2.3 ACRE PARCEL TO THE SAME WATER SAFETY/PARK RULES AS IMPOSED BY SERGEANT JASPER PARK AND SHALL APPOINT STAFF OF SERGEANT JASPER PARK WITH FULL AUTHORITY TO ENFORCE THOSE RULES. DEVELOPER AGREES THERE SHALL BE NO BOAT ACCESS THROUGH THE 2.3 ACRE PARCEL, EXCEPT THOSE THAT ARE OBTAINED THROUGH SERGEANT JASPER PARK'S OFFICE.

MS LAMB PROVIDED THE COUNCIL WITH THE FOLLOWING RECOMMENDATIONS FROM THE STAFF:

1. LAND SWAP SUBJECT TO THE FOLLOWING:
  - a. COUNTY – WILL BE PROVIDED WITH THE FUTURE PARCEL (SEE EXHIBIT), CONSISTING OF 3.65 ACRES. COUNTY WILL AGREE TO ENCUMBER THIS PARCEL WITH A NON-COMPETE AGREEMENT.
  - b. DEVELOPER – WILL RECEIVE 100' OF LAKE PROPERTY (+/- 2.30 ACRES), AS SHOWN ON EXHIBIT ALONG WITH UNLIMITED ACCESS FOR HIKING AND FISHING IN THE PARK FOR RESORT CUSTOMERS AT NO COST. THE DEVELOPER WILL BE ALLOWED TO INSTALL ONE BOARDWALK/GAZEBO OF A LENGTH NO GREATER THAN 30' FROM THE REVISED PROPERTY LINE. THE BOARDWALK/GAZEBO WILL BE OF SIMILAR DESIGN LOCATED WITHIN SERGEANT JASPER PARK. DEED FROM THE COUNTY WILL CONTAIN A REVERSION CLAUSE PROVIDING THE 2.3 ACRE PARCEL WILL REVERT TO THE COUNTY IF DEVELOPER DOES NOT RECEIVE A CERTIFICATE OF OCCUPANCY (CO) FOR THE RV RESORT CONSISTENT WITH THE PLANS WITHIN 5 YEARS.
  - c. THIS LAND SWAP AGREEMENT IS SUBJECT TO APPROVAL BY SOUTH CAROLINA PARKS & RECREATION TOURISM REQUIRING NO PAYMENT FROM JASPER COUNTY TO THE STATE OF SOUTH CAROLINA.
2. LAKE DREDGING – THE DEVELOPER WILL HAVE THE RIGHT TO DREDGE THE LAKE IF THEY DEEM IT TO BE NECESSARY. ALL DREDGING OPERATIONS WILL BE ALLOWED TO HAPPEN FROM COUNTY PARK PROPERTY BASED UPON A MUTUALLY AGREED LOCATION DETERMINED BY SITE FACTORS AT TIME OF CONSTRUCTION. WORK SHALL BE COMPLETED WITHIN 36 MONTHS OF COUNTY'S APPROVAL OF THIS AGREEMENT.
3. STORM WATER – STORM WATER PLANS SHALL BE SUBJECT TO APPROVAL BY THE COUNTY'S ENGINEER. THE DEVELOPER WILL PAY TO THE COUNTY THE ACTUAL COST TO REVIEW THE PLANS NOT TO EXCEED \$2,000.00.
4. INFRASTRUCTURE – THE DEVELOPER SHALL INSTALL WATER, SEWER, AND ELECTRICAL INFRASTRUCTURE AT A MUTUALLY AGREEABLE SITE WITHIN 500' OF THE SERGEANT JASPER PARK PROPERTY LINE. DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVAL AT HIS EXPENSE.
5. DEVELOPER AGREES THAT IT SHALL SUBJECT THE 2.3 ACRE PARCEL TO THE SAME WATER SAFETY/PARK RULES AS IMPOSED BY SERGEANT JASPER PARK AND SHALL APPOINT STAFF OF SERGEANT JASPER PARK WITH FULL AUTHORITY TO ENFORCE THOSE RULES. DEVELOPER AGREES THERE SHALL BE NO BOAT ACCESS THROUGH THE 2.3 ACRE PARCEL, EXCEPT THOSE THAT ARE OBTAINED THROUGH SERGEANT JASPER PARK'S OFFICE.

MS. LAMB TOLD THE COUNCIL THAT MR. MCCLURE WAS PRESENT IF THEY HAD ANY QUESTIONS. COUNCILMAN ETHERIDGE SAID HE WAS CONCERNED ABOUT THE LAKE DREDGING AND WOULD THEY NEED PERMISSION FROM THE COUNTY. MR. JONES SAID THEY WOULD BE ABLE TO DREDGE WITHOUT ANY FUTURE APPROVAL FROM COUNCIL. VICE CHAIRMAN SAULS ASKED IF THEY DREDGE THE LAKE, WHO DECIDES ON THE DUMP SITE. MR. JONES SAID IT DEPENDED ON WHAT THEY ARE PROPOSING TO DO AND THERE HAS NOT BEEN ANY DISCUSSION REGARDING THIS YET. VICE CHAIRMAN SAULS ASKED ABOUT THE BATHROOM AND MR. JONES SAID THE STAFF RECOMMENDED THAT MCCLURE INSTALL THE INFRASTRUCTURE, HOWEVER, THE DEVELOPER SAID THEY WOULD PAY FOR CAPACITY IN THE FUTURE AND NOT INSTALL THE INFRASTRUCTURE. VICE CHAIRMAN SAULS ASKED IF THE DEVELOPER WAS NOT GOING TO DO THE BATHROOM AND MS. LAMB SAID WHEN THEY ADDED THE LAND SWAP, THEY TOOK THE BATHROOM OFF THE TABLE. VICE CHAIRMAN SAULS ASKED IF THE RV RESORT WILL HAVE FACILITIES AND MR. JONES SAID THEY WILL, BUT ONLY FOR THEIR PATRONS. VICE CHAIRMAN SAULS ASKED WHO WOULD BE RESPONSIBLE FOR THE BATHROOM AND MR. JONES SAID THE COUNTY. VICE CHAIRMAN SAULS ASKED HOW THE BATHROOM BECAME PART OF THE DISCUSSION AND MR. JONES SAID IT WAS OFFERED BY THE PREVIOUS LAND OWNER AND IT WAS HIGH ON MR. DAVIS'S PRIORITY LIST. MR. JONES SAID THE DIFFERENCES WERE THE BATHROOM AND A REVERSION CLAUSE BECAUSE OF THE CHECKERED PAST OF THE PROPERTY AND IF THE REVERSION CLAUSE IS NOT INCLUDED, THE COUNTY WOULD HAVE TO DEAL WITH WHATEVER IS ACTUALLY DEVELOPED. MR. JONES SAID HE FELT THE REVERSION CLAUSE WAS NEEDED AS A MATTER OF INSURANCE. VICE CHAIRMAN SAULS ASKED IF THEY CLOSED ON THE PROPERTY AND MR. JONES SAID THEY PLANNED TO CLOSE ON IT NEXT WEEK. CHAIRMAN GREGORY SAID HE WAS CONCERNED ABOUT THEM NOT HAVING TO GET COUNCIL APPROVAL. MR. JONES SAID THAT COUNCIL WOULD NOT BE ABLE TO GO BACK AND UNDO SOMETHING THAT HAS ALREADY BEEN DONE. VICE CHAIRMAN SAULS SAID THAT DHEC WOULD DO THE PERMITTING AND MONITORING IF THEY DID DECIDE TO DO ANY DREDGING. COUNCILMAN DRAYTON SAID HE WAS CONCERNED ABOUT THE BATHROOM. VICE CHAIRMAN SAULS SAID IT WOULD BE LOCATED ON COUNTY PROPERTY AND WOULD BE AVAILABLE FOR THE PARK PATRONS AND MR. DAVIS WOULD LIKE TO HAVE ONE IN THAT AREA OF THE PARK. MR. JONES SAID THE TRANSFER WOULD HAVE TO BE DONE BY ORDINANCE AND ASKED THE COUNCIL FOR DIRECTION IF THE COUNCIL WANTED TO ADD ANYTHING TO THE COUNTY'S PROPOSAL. COUNCILMAN BLACKSHEAR MOTIONED AND VICE CHAIRMAN SAULS SECONDED THE MOTION TO APPROVE THE RECOMMENDATIONS OF THE STAFF. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

**COMMITTEE REPORTS-** VICE CHAIRMAN SAULS REPORTED THAT JASPER ON THE MOVE WAS A GREAT SUCCESS AND MR. DANNY HENDERSON WON THE SGT. JASPER AWARD. CHAIRMAN GREGORY REPORTED THAT THE COUNCIL TOURED THE COUNTY BUILDING AND THE COUNCIL WILL BE DISCUSSING HOW TO UTILIZE THE SPACE. CHAIRMAN GREGORY THANKED ALL THE BUSINESS OWNERS WHO HAD BUSINESSES IN JASPER COUNTY. CHAIRMAN GREGORY SAID THERE ARE JOBS AVAILABLE IN JASPER COUNTY AND TOLD THE PEOPLE TO CONTACT BIOMASS, DANIEL DEFENSE AND BE GREEN.

**ADMINISTRATOR'S REPORT** – MR. FULGHUM SAID THE LEGISLATURE HAS BEEN MONITORING A COMPROMISE FOR MULTI-LOT DISCOUNTS AND HE WILL INFORM THE COUNCIL WHEN HE GETS AN UPDATE. MR. FULGHUM TOLD THE COUNCIL THAT CLEMSON IS GOING TO DO A STUDY ON A REGIONAL

EFFORT TO DEVELOP A COMPREHENSIVE PLAN. MR. FULGHUM SAID IT INVOLVES 35 HOURS OF TRAINING AND THE COUNTY CAN HAVE 2-5 MEMBERS IN THE STUDY GROUP.

**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) - THERE WERE NO COMMENTS FROM THE PUBLIC.**

**EXECUTIVE SESSION - 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 NEO AND SOUTHERN CAROLINA ECONOMIC ALLIANCE 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 - DISPOSAL AGREEMENT WITH WASTE MANAGEMENT AND AIRPORT –VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE 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 BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY - PROJECT NEO AND SOUTHERN CAROLINA ECONOMIC ALLIANCE 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 - DISPOSAL AGREEMENT WITH WASTE MANAGEMENT AND AIRPORT. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.**

**RETURN TO OPEN SESSION- VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO OPEN SESSION.**

CHAIRMAN GREGORY ASKED IF THERE WERE ANY MOTIONS AS A RESULT OF EXECUTIVE SESSION.

VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN DRAYTON SECONDED THE MOTION TO AUTHORIZE THE EXPENDITURE OF NOT TO EXCEED \$28,750 FOR PHASE II OF NECESSARY LAND PLANNING FOR THE PROPOSED INDUSTRIAL PARK, PROVIDING RIDGELAND MATCHES THE SUM DOLLAR FOR DOLLAR. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION FOR COUNCIL TO AUTHORIZE THE ADMINISTRATOR TO WRITE TO WASTE MANAGEMENT TO ASK THAT THEY NEGOTIATE WITH COUNTY FOR RENEWAL OF THE CURRENT SOLID WASTE AGREEMENT. THE MOTION CARRIED WITH ALL MEMBERS VOTING IN FAVOR.

**ADJOURN- VICE CHAIRMAN SAULS MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.**

**THE MEETING ENDED AT 6:50 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