



**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
RIDGELAND, SC  
JUNE 6, 2016  
MINUTES**

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

**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, Planning Director Lisa Wagner

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 4:00 p.m.

**Judge McDonald-** Judge McDonald said that she requested additional funding for bond court since it was previously paid out of detention's and emergency services' budget. Judge McDonald also requested funding for security cameras. Chairman Sauls asked if a 3<sup>rd</sup> party vendor handles this and Mr. Malphrus said they have some that are monitored to the phones and others use a third party. Judge McDonald said that they also needed cameras in the hallway. Vice Chairman Johnson asked if they have an alarm to call for help and Judge McDonald said that they did. Judge McDonald also asked for Judge Badgett's hours to be increased. Councilwoman Clark said the last time this was requested that Judge Badgett said she did not ask for a raise and did Judge Badgett know this was being requested. Judge McDonald said Judge Badgett knew about it last year and she knows about it this year. Vice Chairman Johnson asked Judge McDonald to consider using ankle monitoring. Judge McDonald said they also need a surety bond. Vice Chairman Johnson said that Judge Mullens said surety bond or ankle monitor, and Judge McDonald said that was fine with her and she watches the list everyday and a lot have been convicted. Judge McDonald said that there were more under her jurisdiction than can be released.

Councilman Etheridge asked about the \$425,000 in Dept. 062. Mr. Malphrus said that was the amount to cover last year's raises.

**Aggie Wilson – Baseball funding – Not Present –** Vice Chairman Johnson said he would like a grant request program set up through Parks and Recreation for these types of requests.

**AHJ** – Scott Strawn, Director of AHJ, thanked the Council for their support. He said that the new library in Hardeeville has been started. Mr. Strawn said the budget request was heavy because of the new library. Mr. Strawn said that staff was needed when it opens in Feb. He said 2 full-time and 2 part-time people will be needed. Mr. Strawn added that more funds would be needed to keep the selections current. Mr. Strawn said he was requesting funding for 1 tech person for Jasper County. Mr. Strawn said currently AHJ only has one tech person. Mr. Strawn explained that more people will be using the computers and they will need help. Mr. Strawn said if the Council approved this position, the person would only work at the two libraries in Jasper County or when the other IT person is not available. The Council told Mr. Strawn that they will do the best that they can. Councilman Etheridge asked what the total AHJ Library budget was and Mr. Strawn said he did not know, but he felt it was around \$700,000. Councilman Etheridge asked how much money did they get from the state and Mr. Strawn responded about \$75,000 per County. Councilman Etheridge said he thought Jasper County could have its own library system for \$400,000 and that in the next few years it would be something for the Council to consider. Mr. Strawn said that you could not run a library system like that because you would have to have your own director and tech person, plus operate the book mobile. Councilwoman Clark asked if they were required to have a book mobile. Mr. Strawn responded it is not required, but the County is spread out and the people can't get to the libraries. Councilman Etheridge asked if the bookmobile was still down and Mr. Strawn said it was and the cost of the book mobile is a shared expense currently. Mr. Strawn said AHJ has a private contractor to maintain the book mobile. Mr. Strawn said the employees have not had a raise in several years and an increase for the two employees is included in his request.

**Councilman Drayton arrives at this time.**

Councilwoman Clark asked about the Delegation Office and said that \$5,000 was supposed to be cut from their appropriation because when the VA Officer was hired, he was told a salary that was incorrect and the delegation said to cut \$5,000 from their budget until he reaches the amount he should be. Councilman Etheridge said that no one from Jasper County is a member of the delegation and he wanted to know if the County should still have to provide funding for that office. Councilman Etheridge said he felt it should be cut out. Councilman Etheridge said the Council has asked for an itemized list of the expenditures and they have never received it. Councilman Etheridge asked why the other areas represented by the delegation did not pay a share of the expense of their office. Vice Chairman Johnson said it was his understanding that it had to be funded and Mr. Fulghum said that if the County does not fund it, the delegation can add a penalty which has happened in the past. Chairman Sauls said he would like someone to get the information in writing. Councilman Drayton said they needed to get an itemized list for the funding. Councilwoman Clark said they have been requesting one for 4 years and have never gotten one. Mr. Fulghum said that the delegation also uses the Jasper County seal and the State seal should be used. Councilwoman Clark said she was meeting with Senator Davis and Councilman Johnson suggested that they move their office to Point South. Chairman Sauls

asked when the next delegation meeting was scheduled. Mr. Fulghum said he did not know. Mr. Fulghum suggested not to fund the increase and to work on getting a clearer understanding what the delegation as a whole feel about it. Chairman Sauls told Mr. Fulghum to write a letter requesting what the money is spent on and an itemized list of expenditures over the past two years. Chairman Sauls said to also call Senator Davis as ask how to move forward.

Councilwoman Clark said she would like to give the \$5,000 to the high school band towards their trip to Hawaii.

Mr. Fulghum said the Council wanted to do something for TCL and USCB. Councilwoman Clark said the Council discussed the Clementa Pinckney Scholarship and guidelines needed to be created for the scholarship.

Chairman Sauls asked about the Dept. Heads coming before Council with their requests. Mr. Fulghum said that the Dept. Head submits their request to him and unless there are some special requests, the Dept. Heads do not need to come and make their requests.

Chairman Sauls asked about the VA Office and Mr. Fulghum said he felt the new director was doing a good job. Mr. Fulghum recommended that his part-time help was made full-time.

Chairman Sauls asked about the Election Commission and Mr. Fulghum said they already made a presentation to Council.

Mr. Fulghum said that if the Council wanted to speak with a department head, he would contact them. Chairman Sauls said he just wanted to make sure that no one was left out.

Chairman Sauls asked about the Risk Manager and Mr. Fulghum said they did not receive a good response. Vice Chairman Johnson suggested that the criteria be preferred instead of required.

Chairman Sauls asked about the cars for the Sheriff and Mr. Malphrus said a lease at this time scares him and the County needed to get to a point and he was not sure at this time if the time is right. Chairman Sauls asked how many vehicles could they purchase and Mr. Malphrus said 6 or 7 cars. Chairman Sauls said there has been a lot of crime and this is something that needed to be considered. Vice Chairman Johnson suggested that they buy a few and lease a few. Mr. Fulghum said the Council does not pick the cars, the Sheriff does. Councilwoman Clark asked if they could lease 10 cars for \$100,000. Mr. Malphrus said that \$200,000 was included in this budget and they could buy 3 and lease 3 for about \$100,000.

Councilman Etheridge asked about the fire department and the buildings. Councilman Etheridge said if the County could use the \$400,000 matching funds for the shelter and use it for more stations. Chairman Sauls said the shelter will help people from other areas, but they are not paying anything for the use. Mr. Malphrus said that the letter of commitment has already been sent and the money has to be used for that. Mr. Fulghum said the money from the Settings ruling is what was used for the match. Councilman Etheridge asked how much it was going to cost to operate it and who is going to maintain it. Councilman Etheridge asked if anyone contacted the other areas to see if they would be willing to share the cost. Mr. Daley said he would inquire.

Vice Chairman Johnson said that he keeps hearing that they don't want the volunteers system to work. Mr. Malphrus said a lot of money is spent on training volunteers.

Being no further comments, Chairman Sauls closed the budget workshop.

### **Executive Session**

Vice Chairman Johnson moved and Councilman Drayton 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 – Coastal Carolina Hospital, Med Control Physician Services and Nicholson vs. Levy Fire Dept. et al– Section 30-4-70 (a) (2). The motion carried with all members present voting in favor.

Return to Open Session- Councilman Etheridge moved and Councilwoman Clark seconded the motion to go into open session. The motion carried with all members present voting in favor.

### **6:30 P.M.**

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

**Invocation** – Councilwoman Clark gave the invocation.

**Approval of Agenda** – Councilwoman Clark 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** – Councilman Drayton moved and Councilwoman Clark seconded the motion to approve the minutes. The motion carried with all members present voting in favor.

### **Presentation and Proclamations - None**

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.

**Mr. Wendell Newton** discussed the condition of his road and asked the Council for help. Mr. Newton said the water is affecting his property and the Langford property. **Ms. Newton** said that the property has not been flooded since 1970 and they were in desperate need of help.

**Sal Arzillo** discussed the new library in Hardeeville and told the Council that for the past 3 years they have been doing a great job. Mr. Arzillo also discussed the Port and how far it has come. Bill Olendorf discussed the 2% money and the 3% money and the funds were being used for the lights at Point South and he suggested that the Council consider paying for the lights that need replaced from the General Fund.

### **Ordinances**

Lisa Wagner – Public Hearing and 1<sup>st</sup> Reading of the Ordinance to create within the Zoning Ordinance of Jasper County a Solar Farm Floating Zone, to amend Article 4, Definitions; Article 5:1 so as to add the Solar Farm Floating Zone (SFFZ) 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 Solar Farm Floating Zone; and to amend Article 8 of the Jasper County Zoning Ordinance so as to add Article 8:7 related to the Solar Farm Floating Zone- Ms. Wagner explained that the Ordinance was reviewed by the Planning Commission and the Planning Commission recommended approval. Ms. Wagner explained that this ordinance would create a special purpose district and it also requires a map amendment. Chairman Sauls opened the public hearing. Ms. Shaffer of the Coastal Conservation League discussed the attributes of solar energy and felt the ordinance was a better way to address solar farms. Ms. Shaffer said she researched the effects of solar on wildlife and said that this was consistent with the SC Energy Plan. Being no further comments Chairman Sauls closed the public hearing. Councilman Drayton moved and Vice Chairman Johnson seconded the motion that this be the public hearing and 1<sup>st</sup> reading of the Ordinance to create within the Zoning Ordinance of Jasper County a Solar Farm Floating Zone, to amend Article 4, Definitions; Article 5:1 so as to add the Solar Farm Floating Zone (SFFZ) 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 Solar Farm Floating Zone; and to amend Article 8 of the Jasper County Zoning Ordinance so as to add Article 8:7 related to the Solar Farm Floating Zone. No vote was taken. Councilwoman Clark said she was under the impression that no action would be taken until after the Council did a site visit. Mr. Fulghum said that there are 2 components- a zoning ordinance and a series of documents and the zoning ordinance is not part of the project. Ms. Wagner said the public hearing was already advertised. Councilman Etheridge said that at the last Council Meeting section 8.71 talks about decreasing set-backs and it does not give the Council the authority to increase the set-backs. Councilman Etheridge said that section 879 covers the Council making the final decisions but does say the Council can increase them and he asked why is it spelled out in one section and not the other. Mr. Fulghum said the Council has the final approval of the conceptual plan. Councilman Etheridge questioned that the DSR can determine if further screening is necessary and he asked about fence going on top of the berm. Ms. Wagner said those decision would be left up to professional engineers and are being done to secure the view and security of the project and there will be goals that they have to achieve. Councilman Etheridge said the Comprehensive Plan is not discussed. Ms. Wagner said that is to be discussed at the next Planning Commission meeting. Vice Chairman Johnson said he was concerned about the fencing and he did not think it should be required and he was opposed to 10 feet high fencing in the rural areas. Vice Chairman Johnson said he felt the fencing should be 6 feet or less and he would like it to be interrupted with berms. Vice Chairman Johnson said he was opposed to miles of fencing and he preferred more buffers. Mr. Tedder suggested that a change in section 874 regarding fencing be done after the Council visited the site and they could add breaks. Vice Chairman Johnson said that he felt Mr. Tedder's suggestion would cover his concerns. Ms. Wagner said that the areas with panels would have to be secured, but the entire area would not have to be fenced. Chairman Sauls called for a motion. Councilwoman Clark moved and Councilman Johnson seconded the motion that this be the public hearing and 1<sup>st</sup> reading of the Ordinance to create within the Zoning Ordinance of Jasper County a Solar Farm Floating Zone, to amend Article 4, Definitions; Article 5:1 so as to add the Solar Farm Floating Zone (SFFZ) 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 Solar Farm Floating Zone; and to amend Article 8 of the Jasper County Zoning Ordinance so as to add Article 8:7 related to the Solar Farm Floating Zone. The motion carried with Chairman Sauls, Vice Chairman Johnson, Councilwoman Clark and Councilman Drayton voting for. Councilman Etheridge voted against. Councilman Etheridge said he would not vote for any of the solar ordinances until the Council toured a solar facility.

Ronnie Malphrus – Public Hearing and 2<sup>nd</sup> reading of the 2016-2017 Jasper County Ordinance to provide for the levy of tax for public purposes in Jasper County for the fiscal year beginning July 1<sup>st</sup>, 2016 and ending June 30<sup>th</sup> 2017 and to make appropriations for said purposes; to adopt and approve the Jasper County Capital and Operations Budget for FY 2016-2017; to adopt and approve the Jasper County School District Capital and Operations Budget for FY 2016–2017; to provide for the levy of taxation for FY 2016–2017; to limit the disbursements by the county treasurer to those appropriated by law; to provide that expenditures not exceed appropriations; to authorize tax anticipation notes; to make authorization of certain transfers; to provide for continuing appropriations for subsequent years; to require certain agencies and Departments to file accountings; to require the treasurer to sign general fund checks; to provide special rules for travel and training disbursements; to provide for travel reimbursements; to provide compliance with Act no. 317 of 1990; to provide certain benefits to council members; to provide for county commission and committee stipends; to provide for jury mileage; to adopt property values; and to provide for effective date of this ordinance – Mr. Malphrus explained that he made the changes the Council discussed and he was still working on other areas of the budget Mr. Malphrus said the budget was \$43,120, 379. Chairman Sauls opened the public hearing. There were no comments. Chairman Sauls closed the public hearing. Councilman Etheridge moved and Councilwoman Clark seconded the motion that this be the Public Hearing and 2<sup>nd</sup> reading of the 2016-2017 Jasper County Ordinance to provide for the levy of tax for public purposes in Jasper County for the fiscal year beginning July 1<sup>st</sup>, 2016 and ending June 30<sup>th</sup> 2017 and to make appropriations for said purposes; to adopt and approve the Jasper County Capital and Operations Budget for FY 2016-2017; to adopt and approve the Jasper County School District Capital and Operations Budget for FY 2016–2017; to provide for the levy of taxation for FY 2016–2017; to limit the disbursements by the county treasurer to those appropriated by law; to provide that expenditures not exceed appropriations; to authorize tax anticipation notes; to make authorization of certain transfers; to provide for continuing appropriations for subsequent years; to require certain agencies and Departments to file accountings; to require the treasurer to sign general fund checks; to provide special rules for travel and training disbursements; to provide for travel reimbursements; to provide compliance with Act no. 317 of 1990; to provide certain benefits to council members; to provide for county commission and committee stipends; to provide for jury mileage; to adopt property values; and to provide for effective date of this ordinance. The motion carried with all members present voting in favor.

Lisa Wagner - 1<sup>st</sup> Reading of the Ordinance To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Numbers 080-00-03-044 located at 152 Schinger Avenue from the General Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map- Ms. Wagner explained that the property was undeveloped and the request for the zoning change to mixed business zone so that they could fabricate granite. Ms. Wagner said they Planning Commission recommended approval. Councilman Johnson moved and Councilman Etheridge seconded the motion that this be the 1<sup>st</sup> Reading of the Ordinance To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Numbers 080-00-03-044 located at 152 Schinger Avenue from the General Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

**Resolutions - None**

**Old Business- None**

**New Business**

**Ronnie Malphrus – Approval of A-Tax Committee recommendations for State A-Tax –** Mr. Malphrus explained that the A-Tax Committee met and that \$25,000 plus 5% goes to the County and 5% goes to the Chamber of Commerce and the balance goes to the requests that were presented. Mr. Malphrus said the County also has a local A-Tax fund that is not included. Vice Chairman Johnson moved and Councilman Drayton seconded the motion to approve the recommendations of the State A-Tax Committee. The motion carried with Vice Chairman Johnson, Councilman Etheridge, Councilwoman Clark and Councilman Drayton voting for. Chairman Sauls recused from the vote because of his association with the Chamber of Commerce.

**Council Members’ Comments – Councilwoman Clark** reported that she swore in the new mayor of Hardeeville, Mr. Harry Williams. **Councilman Etheridge** reported that he met with Mr. Fulghum, Mr. Daley, Mr. Malphrus and Mr. Terry. **Chairman Sauls** discussed State House Day and updated the public of upcoming events. Chairman Sauls also reminded everyone to vote on June 14, 2016. Chairman Sauls said the Council members are all very dedicated and are doing great things for the citizens of Jasper County. **Vice Chairman Johnson** recognized Mr. and Mrs. Youmans and thanked them for the work they do on the Pocatigo Festival and the 4 H Club.

**Administrator’s Report** – Mr. Fulghum said his report was for information only.

**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 7:30 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