



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

**COUNCIL CHAMBERS
JULY 15, 2013
MINUTES**

WORKSHOP AND EXECUTIVE SESSION OFFICIALS PRESENT: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman Thomas Johnson, Councilman L. Martin Sauls, IV

STAFF PRESENT: Administrator Andrew Fulghum, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Planning Director LeNolon Edge

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.

4:00 P.M. – WORKSHOP – Chairman Etheridge called the workshop to order at 4:05 p.m.

LeNOLON EDGE - PRESENTATION OF PROPOSALS TO ENCOURAGE COMMERCIAL DEVELOPMENT IN THE I-95 EXIT 8 INTERCHANGE AREA- Mr. Edge explained that two proposals were being presented and the project would be done with Hardeeville. Mr. Edge said that ROI would market Exit 8 as a commercial property with the potential for economic development. Mr. Edge said they would be doing the aesthetic analysis and Alliance Consultants would do a utility analysis master plan. Brian McClure and Kevin Farruggio said they were going to create a vision for Exit 8 and its special growth opportunities. ROI said that currently it has no distinction and needs to be transformed to create a sense of arrival. Alliance will work on land use, get a better understanding of the zoning, land use regulations of the County and the City. Brian McClure stated that there is a lot of land for sale and it is a good time for opportunities. The data from both studies will be summarized to promote the area. Councilman Sauls said he was very excited and Exit 8 is the gateway to Hilton Head and a master plan is needed to create unity. Councilman Johnson said a gateway is offensive to him and another word needs to be created. Councilman Johnson said that Exit 8 needs to be a destination. Mr. McClure said they are to make suggestions and the Council will make the decisions. Mr. McClure said they will be preparing a blueprint of what can be done and a game plan to make it happen. Councilman Johnson asked ROI what their services will do to enhance the area. Mr. Farruggio responded that they will make cost effective steps to make it more marketable and paint the best possible picture. Councilman Johnson asked if some steps could be done and not others. Mr. McClure said it will evolve and the Council can pick and choose. Councilman Drayton asked if they would try to find businesses to locate at Exit 8 and Mr. McClure said that was not part of the proposal. Mr. Fulghum added that they cannot market the property because it is not County owned and there is a need for a cohesive strategy of how it can be

developed and have something to show the potential of the area. Councilman Johnson asked how much of the property was in the City of Hardeeville. Mr. Edge said that about 25% was in the County. Councilman Johnson said the old campground was in the City, but not the property next to it. Ryan Slattery from Alliance Consulting added that they needed to make this a destination and it not that now. Mr. Slattery added that they needed to identify the infrastructure, utilities and assets within ½ mile of the exit. Once all the information is summarized and a plan is made, they can use it to attract developers and retailers. Mr. Slattery said that once this is quantified and they have developed a plan for cohesive development, the County and City can go out and get grants and funding. Mayor Bostick agreed with the need to be proactive and he asked the City Manager, Bob Nanni, for input. Mr. Nanni explained that he has discussed this with the City Council and they will discuss it again. Mr. Nanni said that the old master plan needs to be updated because with time things change. Councilman Drayton asked if this has been done at other exits. Mr. Slattery responded that this was done in Orangeburg at I-26 and Hwy. 601. Mr. Slattery explained that this is a long process and could take up to 20 years to complete as there are many steps. Councilman Johnson asked if this was something that Branna and LeNolon have already. Mr. Nanni said there are old agreements, old infrastructure and existing infrastructure and investors are looking for changes in utilities and it all needs updating. Mr. Nanni said some individuals may not want to change the existing development agreements. Councilman Johnson asked Mr. Nanni if they gave him \$110,000 is this project what he would spend it on. Mr. Nanni said that Exit 8 is in a high profile area with a lot of potential and based on the merits of exit 8 he would look at spending it this way. Mayor Bostick said he wanted to change it from being known as the gateway to Hilton Head. Councilman Sauls said that in order to bring the industries to Exit 8 and make it a destination and they needed a plan to make that happen. Chairman Etheridge said the old plan was not working and the County and the City needed to work together to create a master plan, and once the plan is in place the real estate agents will know what to market and he had no problem spending a little money to do this. Mr. Slattery explained that some of the property is owned by the City and last year site certification was started. Mr. Slattery said that once the sites are certified and ready to go and the information available will be available at the Dept. of Commerce. Mr. Slattery discussed the steps that were needed and the information that they had to obtain. Permitting for the wetlands and right of ways were discussed. Councilman Drayton asked if this project was fully funded and Mr. Slattery said it was not funded yet. Chairman Etheridge said that Exit 8 needed a boost and the County wants to work more with the municipalities and everyone wants to see this exit thrive. Mr. Slattery discussed the plans for infrastructure for the parks. Mr. Slattery discussed the 1% sales tax for the infrastructure projects and explained that the Council would decide if it would go on the ballot and the citizens would decide if they wanted it. If the sales tax is placed on the ballot, and passes the money has to be spent on the projects listed. Mr. Slattery said that a percentage of the 1% tax will be paid by people traveling and shopping in the County. Councilman Sauls said he was undecided on this and is actually more not in favor of it. Councilman Sauls said he had concerns that Jasper County would have the highest sales tax in the state. Councilman Sauls said the citizens need to be heard. Councilman Sauls said on the flip side he wants to bring economic development to the County so this is basically a catch 22 situation. Vice Chairwoman Clark said it would be up to the people and while Jasper County may have the highest sales tax in South Carolina it still would not have the highest sales tax in the United States. Councilman Drayton said he agreed with Councilman Sauls and times are hard. Councilman Drayton said the Council just reduced

the Road Maintenance Tax on vehicles and now the staff is back discussing additional sales tax. Councilman Drayton said the citizens need to understand what they are voting for. Vice Chairwoman Clark said they must prioritize and the people needed to know before they are asked to make a decision. Vice Chairwoman Clark said the people needed to know how this would impact the County's ability to develop Exit 8 to attract retail establishments.

The workshop ended at 5:40 pm.

5:00 P.M. EXECUTIVE SESSION

CALL TO ORDER – Chairman Etheridge called the meeting to order.

Councilman Drayton motioned and Councilman Sauls 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, Ridgeland Airport, property purchase option, lease agreement for 224 Second Ave., Ridgeland, SC; 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 – prospect update, Tico; 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 client's records that are submitted for use at the hearing – resolution of EEOC complaint, litigation, County Council. The motion carried with all members present voting in favor.

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

No action was necessary as a result of executive session.

7:00 P.M.

OFFICIALS PRESENT: Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman Tom Johnson, Councilman L. Martin Sauls, IV

STAFF PRESENT: Administrator Andrew Fulghum, Atty. Marvin Jones, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Planning Director LeNolon Edge, Director of Engineering Services Dale Terry

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

PLEDGE OF ALLEGIANCE – Councilman Drayton led the Pledge of Allegiance.

INVOCATION- Vice Chairwoman Clark gave the invocation.

APPROVAL OF THE AGENDA – Vice Chairwoman Clark motioned and Councilman Drayton seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

APPROVAL OF THE MINUTES-05/13/2013 - 05/28/2013 - 06/03/2013 – 06/17/2013- Councilman Drayton motioned and Vice Chairwoman Clark seconded the motion to approve the minutes of 05/13/2013 - 05/28/2013 - 06/03/2013 – 06/17/2013. The motion carried with all members present voting in favor.

PROCLAMATIONS AND PRESENTATIONS – there were no presentations or proclamations.

ORDINANCES

LeNOLON EDGE – PUBLIC HEARING AND 3RD READING OF AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF JASPER COUNTY SO AS TO TRANSFER A PROPERTY BEARING JASPER COUNTY TAX MAP NUMBER 063-41-02-050 LOCATED AT 3949 BEES CREEK ROAD FROM THE RESIDENTIAL ZONE TO THE RURAL PRESERVATION ZONE ON THE JASPER COUNTY OFFICIAL ZONING MAP – Mr. Edge explained the location of the property and told the Council that the property was posted and advertised for the public hearing. Chairman Etheridge opened the public hearing. There were no comments. Chairman Etheridge closed the public hearing. Vice Chairwoman Clark motioned and Councilman Johnson seconded the motion that this be the public hearing and 3rd 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 063-41-02-050 located at 3949 Bees Creek Road from the residential zone to the rural preservation zone on the Jasper County official zoning map. The motion carried with all members present voting in favor.

RONNIE MALPHRUS – 1ST READING OF AN ORDINANCE TO REDUCE THE ROAD MAINTENANCE FEE- Mr. Malphrus explained that the road maintenance fee was reduced in the 2013-2014 budgets and it has to be changed by ordinance. Mr. Malphrus said the change will go into effect in January, 2014. Councilman Drayton motioned and Councilman Sauls seconded the motion that this be the 1st reading of the ordinance to reduce the road maintenance fee. The motion carried with all members present voting in favor.

ANDREW FULGHUM – 1ST READING OF A LEASE AGREEMENT WITH JASPER COUNTY AND THE UNITED WAY OF THE LOW COUNTRY- Mr. Fulghum explained that the lease is for the space the United Way of the Low Country is using at the EMS building. Mr. Fulghum said they would be paying \$100 per month since they paid for the utilities previously. Vice Chairwoman Clark motioned and Councilman Drayton seconded the motion that this be the 1st reading of a lease agreement with Jasper County and the United Way of the Low Country. The motion carried with all members present voting in favor.

RESOLUTIONS

LeNOLON EDGE – APPROVAL OF AMENDMENT TO RESOLUTION ADOPTING GEOGRAPHICAL BOUNDARIES FOR BEAUFORT COUNTY AND JASPER COUNTY METROPOLITAN PLANNING ORGANIZATION – Mr. Edge said that since the Regional Transportation Authority was being added as a voting member, a resolution approving this had to be past. Vice Chairwoman Clark motioned and Councilman Sauls seconded the motion to pass the resolution approving an amendment to the resolution adopting the geographical boundaries for Beaufort County and Jasper County Metropolitan Planning Organization. The motion carried with all members present voting in favor.

COUNCILMAN JOHNSON - RESOLUTION FOR THE CONVEYANCE OF JASPER OCEAN TERMINAL SITE TO JASPER COUNTY – Councilman Johnson presented the resolution. Chairman Etheridge explained the Joint Planning Office is not doing what they agreed to and even if they started now they are one year behind. Chairman Etheridge said the resolution said if they don't start the permitting they should deed the port to Jasper County and Jasper County can move forward with the port. Councilman Johnson motioned and Councilman Sauls seconded the motion to pass the resolution for conveyance of the Jasper Ocean Terminal Site to Jasper County. The motion carried with all members present voting in favor.

OLD BUSINESS

ANDREW FULGHUM – UPDATE ON COUNTY'S EFFORT TO EVALUATE PRIVATE SECTOR PROPOSAL TO PROVIDE EMERGENCY MEDICAL/AMBULANCE SERVICE – Mr. Fulghum said the County received one proposal from Shoreline and a lot more information is needed so it can be discussed. Mr. Fulghum said he was working with Mr. Malphrus and Mr. Daley to see if this should be an option. Mr. Fulghum said more information is needed before they can bring it to Council for a decision. Mr. Fulghum said he would develop a timeline to bring the information to Council.

ALLIANCE CONSULTING ENGINEERS – STATUS UPDATE- INDUSTRIAL SITE CERTIFICATION PROJECTS – Mr. Fulghum said this topic was discussed in Executive Session and he has the information to share with the public.

NEW BUSINESS- DALE TERRY – PRESENTATION AND APPROVAL OF BIDS FOR PAVING STINEY ROAD AND DAWSON LANDING – Mr. Terry presented the bids and asked the Council to approve the low bid from APAC in the amount of \$103,311. Vice Chairwoman Clark motioned and Councilman Sauls seconded the motion to approve the low bid of \$103,311 from APAC. The motion carried with all members present voting in favor. Vice Chairwoman Clark commented that APAC paved the Bellinger Hill Fire Station parking lot free of any charges and they do give back to Jasper County.

PHIL RICHARDSON – REQUEST FOR PERMISSION TO MAKE APPLICATION FOR RURAL ECONOMIC DEVELOPMENT LOAN AND GRANT (REDLG) FOR CONSTRUCTION OF SPECULATIVE BUILDING - Mr. Richardson explained that 89% of the prospects are looking for existing buildings. Mr. Richardson said there is no obligation to accept a grant, but he was asking permission to make application for a RED grant. Councilman Johnson motioned and Vice Chairwoman Clark seconded the motion to grant permission to make application for a REDLG. The motion carried with all members present voting in favor.

ANDREW FULGHUM – PROFESSIONAL SERVICE PROPOSALS – NEW HEALTH DEPARTMENT PROJECT –

Mr. Fulghum presented two professional service proposals for the new health department project. He presented a surveying proposal from TGS in the amount of \$945 and a civil engineer proposal from Carolina Engineering in the amount of \$6,000. Councilman Sauls motioned and Vice Chairwoman Clark seconded the motion to approve the surveying proposal from TGS in the amount of \$945 and a civil engineer proposal from Carolina Engineering in the amount of \$6,000. The motion carried with all members present voting in favor.

ANDREW FULGHUM – PROFESSIONAL SERVICE PROPOSAL - ANALYSIS OF OPTIONS TO STIMULATE DEVELOPMENT IN COMMUNITIES WITH DEVELOPMENT AGREEMENTS –

Mr. Fulghum said there have been issues concerning the larger residential communities and Mr. Fulghum asked the Council to approve a professional service contact with Miley Associates in an amount not to exceed \$11,500 as long as the proposal is funded equally among the five entities (City of Hardeeville, Jasper County, Hilton Head Lakes, Sun City and Hampton Point) with the County’s portion being paid from the Commercial Development Fund. Mr. Fulghum said the proposal would produce some answers as to the projected pace of residential development and ways the City and County can may be able to offset or defer development fees for a limited period of time to stimulate residential development. The proposal would also include a legal review and suggested steps for implementation. Councilman Sauls motioned and Councilman Drayton seconded the motion to approve the professional service proposal- analysis of options to stimulate development in communities with development agreements as explained by the administration. Councilman Johnson said he was opposed to encouraging residential development because services cost money. Chairman Etheridge said the people want to see commercial development, but they want to see houses first and if the County and the Municipality can help the developers, commercial development will follow. Chairman Etheridge said the County would be paying \$2,300. The motion carried with Chairman Etheridge, Vice Chairwoman Clark, and Councilman Sauls and Drayton voting for; Councilman Johnson voted against.

RONNIE MALPHRUS – PROFESSIONAL SERVICE PROPOSAL – ACTUARIAL SERVICES –

Mr. Malphrus presented the future liability of the county for post-employment and that the County has been paying as they go each year. Mr. Malphrus said that many Counties do not address it at all. Mr. Malphrus said they discussed this with Mr. Candy and they have to have an updated study every two years. Mr. Malphrus said now is the time for it to be looked at and they are also going to look for other ways to reduce the liability. Mr. Malphrus said it would cost \$7,000 to review the options. Mr. Malphrus said it could be paid for from the emergency fund and it also has an effect on the bond rating of the County and it could be included in the bond expenses. Chairman Etheridge said it should not go on the bond because the County would end up paying a lot more than \$7,000. Councilman Johnson motioned and Vice Chairwoman Clark seconded the motion to approve the professional service proposal for actuarial services in the amount of \$7,000 and it would be paid for from the emergency fund. The motion carried with all members present voting in favor.

ANDREW FULGHUM AND LeNOLON EDGE – PROFESSIONAL SERVICE CONTRACT ENCOURAGING COMMERCIAL DEVELOPMENT AT EXIT 8 INTERCHANGE AREA –

Mr. Edge said the contract was discussed in the workshop and it was for Exit 8 infrastructure. Mr. Edge said the cost would be split

equally with the City of Hardeeville and the County's share would come from the commercial development fund. Councilman Sauls motioned and Councilman Drayton seconded the motion to approve spending up to \$55,000 from the commercial development fund for the professional service contract with ROI and Alliance Engineering and the County would only move forward if Hardeeville approved paying the additional \$55,000. The motion carried with Chairman Etheridge, Vice Chairwoman Clark and Councilmen Drayton and Sauls voting for; Councilman Johnson abstained.

COMMITTEE REPORTS - Councilman Sauls reported on the various activities of the Chamber of Commerce. Councilman Sauls reported that he met with Waste Management, Daniel Defense and Low Country Biomass. Councilman Sauls said that he was working with Mr. Daley on ways to bring down the ISO ratings in the County. Councilman Sauls said that more volunteers were needed and strategically placed sub-stations. Vice Chairwoman Clark reported that she attended a very informative meeting of the Georgia Ports Authority. Councilman Johnson reported that he attended the ribbon cutting at Knowles Island and attended a meeting with Senator Tom Scott. Councilman Drayton said he also attended the Knowles Island ribbon cutting and he spoke with Chairman Etheridge daily. Chairman Etheridge said he attended the Transportation Committee meeting and the LCOG meeting. Chairman Etheridge said the County will be working on updating the comprehensive plan and by the end of the 2nd year of this council's term the citizens would see a difference. Chairman Etheridge discussed the grant to expend the sewers to the Old Bailey Road Community. Vice Chairwoman Clark thanked the citizens for their prayers for her during her surgery and loss of an aunt and brother-in-law.

ADMINISTRATOR'S REPORT – Mr. Fulghum said the County was entering the Knowles Island Pier Project in the J. Mitchell Graham Competition. Mr. Fulghum told the Council that he was working on the pre-application for a CBDG grant for the Tarboro Project. Mr. Fulghum said that the full application and a resolution needed to be completed by Sept. 16, 2013.

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. **Barbara Bartoldus** discussed the Pratt Library and the repairs that were needed. She asked that public works look into it and do some repairs to the building and the fence. **Louise Rawlings** – asked where the funds came from to hire a code enforcement officer since the Council eliminated the Deputy Administrator's position because they needed money. Ms. Rawlings asked where the money that was cut from the school district was going. Ms. Rawlings asked how much money was collected from the road maintenance fee and what it was used for. Chairman Etheridge told Ms. Rawlings that the administrator would send her answers to her questions. **Denise Davidson** asked about the United Way Bldg. and what was going to happen to it. Ms. Davidson discussed the cut to the school board budget and told the Council that the Charter School offered the School District \$800,000 for the Old Hardeeville School and if the School District sold them the building they would have all the money they needed. **Milton Woods** thanked Councilman Johnson for starting the Port issue again and he also thanked Councilman Sauls for working on the ISO ratings. Being no further comments, Chairman Etheridge closed the floor to the public.

RETURN TO EXECUTIVE SESSION: Vice Chairwoman Clark motioned and Councilman Sauls seconded the motion to return to executive session to finish discussion of matters 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, Ridgeland Airport, property purchase option, lease agreement for 224 Second Ave., Ridgeland, SC; 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 – prospect update, Tico; 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 client’s records that are submitted for use at the hearing – resolution of EEOC complaint, litigation, County Council. The motion carried with all members present voting in favor.

RETURN TO OPEN SESSION: Councilman Sauls motioned and Councilman Drayton seconded the motion to return to open session. The motion carried with all members present voting in favor.

No action was necessary as a result of executive session.

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

The meeting ended at 8:45 p.m.

Respectfully Submitted By:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Henry Etheridge
Chairman

