



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
GOVERNMENT BUILDING
RIDGELAND, SC
JULY 18, 2016
MINUTES**

Officials Present: Vice Chairman D. Thomas Johnson, Councilman Henry Etheridge, Councilman Theodus Drayton

Officials Absent: Chairman L. Martin Sauls, IV, Councilwoman Barbara Clark

Staff Present: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder, 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- Vice Chairman Johnson called the meeting to order at 5:34 p.m.

Executive Session – Councilman Etheridge 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 – Section 30-4-70 (a) (2)- Levy Fire Contract and Nicholson vs. Levy Fire Dept. et al and discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim –Section 30-4-70 (a)(2) - Project Silver Thunder. The motion carried with all members present voting in favor.

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

There was no action taken as a result of executive session at this time.

Pledge of Allegiance- Councilman Drayton led the Pledge of Allegiance.

Invocation – Councilman Etheridge gave the invocation.

Approval of Agenda – Councilman Drayton moved and Councilman Etheridge seconded the motion to remove all matters related to Ordinance to amend the Official Zoning Map of Jasper County so as to transfer property bearing Jasper County Tax Map Numbers 040-00-02-015 located at 11578 Speedway Blvd. from the Community Commercial Zone to the General Commercial Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

Approval of the Minutes – June 6, 2016 - Councilman Drayton moved and Councilman Etheridge seconded the motion to approve the minutes of the June 6, 2016 meeting. The motion carried with all members present voting in favor.

Presentation and Proclamation

Proclamation for declaring July 30, 2016 to August 7, 2016 as "Gullah/Geechee Nation Appreciation Week" - Councilman Drayton moved and Councilman Etheridge seconded the motion to approve declaring July 30, 2016 to August 7, 2016 as "Gullah/Geechee Nation Appreciation Week. The motion carried with all members present voting in favor.

Duane Swygert - Presentation regarding request for DHEC from County Council regarding chemical monitoring of the Euhaw Creek and Hazard Creek – Mr. Swygert explained that only ground water is tested for chemicals and he asked Council to request that DHEC monitor chemicals at the head waters of Euhaw Creek and Hazard Creek. Mr. Swygert presented the Council with a petition signed by 150 concerned citizens. Vice Chairman Johnson said he would call for a resolution if they did not get any action from DHEC. Mr. Swygert said he felt the landfill and the water should be monitored for chemicals. Councilman Etheridge moved and Councilman Drayton seconded the motion to have the administrator send a letter to DHEC regarding the monitoring of chemicals in the Euhaw Creek and Hazard Creek. The motion carried with all members present voting in favor.

Dr. Lynn McGee –USCB Pinckney Scholarship – Dr. McGee presented a video and said that she discussed setting up a scholarship to honor Sen. Pinckney with Councilwoman Clark. Dr. McGee said there is a scholarship sponsored by the citizens and business owners and they have reached \$40,000 of the \$100,000 goal. Dr. McGee presented a video regarding the Clementa Pinckney Scholarship and his interest in education. Dr. McGee encouraged the Council to honor Clementa Pinckney by donating to the scholarship.

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 – Vice Chairman Johnson opened the floor to the public.

Steve Milam – Wooden Horse Run- Road Repair- Mr. Milam said that he lives off of Log Hall Road on a private road. Mr. Milam said three families live on the road and they are trying to find a way to have the road repaired. Mr. Milam said that EMS cannot reach the homes. Mr.

Milam said that Mr. Terry donated some pipe, but Mr. Terry would need Council's permission to install the pipe. Mr. Milam said that rip rap cost \$100 a load and the families cannot afford it, Mr. Milam asked that the County donate the rip rap and give Mr. Terry permission to install it.

Barbara Bartoldus commented on Mr. Swygert's request and said that DHEC does monitor, but Mr. McCormick never monitored the Oakwood Landfill and DHEC does monitor the creeks, but they are not doing it correctly. Being no further comments, Vice Chairman Johnson closed the floor to the public.

Resolutions – None

Ordinances

Public Hearing and 3rd 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 said there were a few changes relating to the buffers and fencing that were requested by Council. Ms. Wagner said the Planning Commission approved the changes. Vice Chairman Johnson opened the public hearing. Councilman Etheridge said they did not have to advertise the 2nd public hearing because they did not have to have two public hearings and this was being held so the public would have an opportunity to speak. Mr. Tedder said the 1st Public Hearing was held in Hardeeville and the advertising requirements were met. Ms. Wagner said she did run an ad for this public hearing, but the 15 days notice was not met, because that requirement was met for the June 20, 2016 public hearing. Councilman Etheridge said that the solar farm would have to go back before the Planning Commission and Council to be approved and what they were approving was the floating zone. Councilman Drayton moved and Councilman Etheridge seconded the motion that this be the Public Hearing and 3rd Reading of the Ordinance to create within the Zoning. The motion carried with all members present voting in favor.

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 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 zoning request was made so that manufacturing would be allowed. Councilman Etheridge said that Mr. Kitty needs to go out and make sure they have a business license. Ms. Wagner said the current property is vacant. Councilman Drayton asked if the other properties were zoned Industrial and Ms. Wagner said the other property is zoned industrial. Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the 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 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.

Public Hearing and 2nd Reading of the Ordinance to amend the Lowcountry Commerce Park Concept Plan – Planned Development Map so as to transfer a 7.5 acre portion of property bearing Tax Map Number 081-00-01-011 located along Highway 462 from the Mixed Use - Retail/Commercial Zone to the Mixed-Use Office/Limited Industrial Zone on Exhibit D of the Lowcountry Commerce Park Planned Development Map- Ms. Wagner identified the location of the property and explained that the front portion of the property would be used for retail commercial and the back of the property would be used for wood processing. Ms. Wagner said they must have 25 acres of upland. Vice Chairman Johnson opened the public hearing; there were no comments; Vice Chairman Johnson closed the public hearing. Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the Public Hearing and 2nd Reading of the Ordinance to amend the Lowcountry Commerce Park Concept Plan – Planned Development Map so as to transfer a 7.5 acre portion of property bearing Tax Map Number 081-00-01-011 located along Highway 462 from the Mixed Use - Retail/Commercial Zone to the Mixed-Use Office/Limited Industrial Zone on Exhibit D of the Lowcountry Commerce Park Planned Development Map. The motion carried with all members present voting in favor.

1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer property bearing Jasper County Tax Map Numbers 040-00-02-015 located at 11578 Speedway Blvd. from the Community Commercial Zone to the General Commercial Zone on the Jasper County Official Zoning Map – Ms. Wagner explained the property owner made the request so that a pool hall and club can be built on the property. Ms. Wagner said that currently a storage building is located there. Ms. Wagner said that the people who live in the residential area are concerned about the uses on Speedway Blvd and that the uses adjacent to their property won't impact them. Councilman Etheridge said that he could understand the people's concerns. Councilman Drayton said it was tabled and brought back. He said it could be voted on or tabled again. Ms. Wagner said the staff is working on it. Councilman Etheridge moved to table until the planning commission comes back with a recommendation. Vice Chairman Johnson said he felt there should be a time limit for the Planning Commission to make the recommendation. Mr. Tedder said it can be a lengthy process and the reason for tabling it is to avoid spot zoning and do a comprehensive plan amendment. Ms. Wagner said she needed 30 days notice to do a public hearing. Vice Chairman Johnson said he would like to see it tabled for 45 days. Councilman Etheridge amended his motion to table this until the 1st meeting in Sept. in order to give the two planning commissions time to decide how the property should be zoned. Councilman Drayton seconded the motion . The motion carried with all members present voting in favor.

1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer property bearing Jasper County Tax Map Numbers 039-00-08-096 located at 3662 Freedom Parkway from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – Ms. Wagner listed the land uses of the adjacent property owners and this was tabled at the last meeting so that the Council could visit the site. Councilman Etheridge said he had concerns about the buffers being 5-10 ft. Ms. Wagner said that there is vacant and residential property adjacent to the property. Ms. Wagner said the code enforcement officer sent them a letter and they applied for a zoning change. Ms. Wagner said both of the adjacent properties were zoned residential. Vice Chairman Johnson said the owner is a business man who stores his equipment there and the employees come and go from that location. Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer property bearing Jasper County Tax Map Numbers 039-00-08-096 located at 3662 Freedom Parkway 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.

1st Reading of an Ordinance to amend the Jasper County, South Carolina Comprehensive Plan to add Solar Floating Zone to Chapter 6.4 Future Development Plan Framework – Ms. Wagner said the comprehensive plan needed to be amended to include the Solar Float Zone in all zones except for the resource conservation zone. Councilman Etheridge said it did not comply with the Comprehensive Plan and what is going to happen is that a solar farm can go anywhere in the County. Ms. Wagner said that it encourages solar in all districts, but the property has to be in excess of 5 acres and meet all other requirements. Councilman Etheridge said the comprehensive plan states that what is rural will stay rural, but changes can be made and by adopting this the people will not have anywhere to fish and hunt. Ms. Wagner said that by adopting this does not change the rules, it is a floating zone and will need a map amendment. Councilman Drayton moved and Vice Chairman Johnson seconded the motion that this be the 1st Reading of an Ordinance to amend the Jasper County, South Carolina Comprehensive Plan to add Solar Floating Zone to Chapter 6.4 Future Development Plan Framework. The motion carried with Vice Chairman Johnson and Councilman Drayton voting for; Councilman Etheridge voted against.

Old Business – None

New Business

Approval of bids for CRBIP Entrance Improvements - Mr. Malphrus said that they did not receive any bids and it would be re-advertised on Aug. 9, 2016.

Engineering Services for Inventory of Publically Maintained Roads – This item was deleted.

Appointment of Town of Ridgeland Representative to the Southern Carolina Alliance - Mr. Fulghum told the Council he received a letter from the Town of Ridgeland and that they wanted Grady Woods to replace Jason Taylor on the SCA Board. Councilman Etheridge moved and Councilman Drayton seconded the motion to appoint Grady Woods to the SCA Board,

representing the Town of Ridgeland; the motion carried with all members present voting in favor.

Requests to accept Private Roads – This item was deleted.

Council Members' Comments - **Councilman Etheridge** reported that he enjoyed the “Magic Carpet Ride” and breakfast with the Mayor of Hardeeville. Councilman Etheridge said he traveled to Boca Raton and most of the exits on I-95 are developed and he hope to see something soon in Jasper County. **Councilman Drayton** said he has been ill and had nothing to report. **Vice Chairman Johnson** said the also attended breakfast with the Mayor of Hardeeville and he was inspired by the “Magic Carpet Ride” and that great things were on the horizon. Vice Chairman Johnson said he attended the ribbon cutting of the new crossover bridge that was built by the Hardeeville Senior Center and he was pleased to hear about the conservation youth group.

Administrator's Report – Mr. Fulghum reported that he received a grant for \$45,350 for professional services to certify the CRBIP. Mr. Fulghum discussed the Ridgeland/Claude Dean Airport and said that it would be a four year project from 2016-2020. Councilman Drayton moved and Councilman Etheridge seconded the motion to authorize the administrator to execute and accept the grants. The motion carried with all members present voting in favor.

Adjourn – Councilman Etheridge moved and Councilman Drayton seconded the motion to adjourn the meeting. The motion carried with all members present voting in favor.

The meeting ended at 8:05 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, ccc
Clerk to Council

D. Thomas Johnson
Vice Chairman