



**JASPER COUNTY COUNCIL
JASPER COUNTY GOVERNMENT BLDG.
3RD FLOOR COUNCIL CHAMBERS
JULY 2, 2015
6:00 P.M.**

Officials Present: Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman D. Thomas Johnson, Councilman Henry Etheridge

Officials Absent: Vice Chairman L. Martin Sauls, IV

Staff Present: Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder

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- Chairwoman Clark called the special called meeting to order at 6:00 p.m.

Invocation- Councilman Etheridge gave the invocation.

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

New Business

Andrew Fulghum – Approval of Professional Service Contract for Project Handler Survey and Geotechnical Services and that it would be paid for from the Economic Development account. Councilman Johnson asked if a soil assessment of the stockpile was necessary and Mr. Fulghum said that soil was promised to a prospect and the assessment would determine if it meets the necessary requirements. Councilman Johnson suggested giving the prospect an allowance to have the study done. Mr. Fulghum said it was up to the Council to decide if they wanted an assessment done. Mr. Fulghum said that a geodetic was needed to do the study to have it certified. Mr. Fulghum suggested a \$10,000 allowance be given. Councilman Johnson moved and Councilman Etheridge seconded the motion to approve going forward with the site assessment, to approve the survey only after seeing if a local surveyor would do it cheaper ad to give the administrator the authority to the stockpile assessment if it was critical to an imminent project. The motion carried with all members present voting in favor.

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- Councilman Johnson moved and Councilman Etheridge 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 and that Senator Tom Davis to join the Council in executive session. The motion carried with all members present voting in favor.

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

Councilman Johnson moved and Councilman Etheridge seconded the motion to authorize the County Administrator and the County Attorney to evaluate the permitting status of the Jasper Ocean Terminal in light of past assurances, statements and legislative actions to determine if the interest of Jasper County and its citizens would be best served by filing comments on the Final Integrated Feasibility Report and Environmental Impact Statement for the Charleston Post 45 Harbor Deepening Project, or taking other actions to protect the interest of our citizens and the Jasper Ocean Terminal, with such evaluation report to be prepared prior to the next regularly scheduled Jasper County Council meeting, and in furtherance of this they are directed to seek a meeting with the chairman of the Savannah River Maritime Commission, the South Carolina voting members of the Jasper Ocean Terminal JPO, members of the Jasper County Council and members of the Jasper County Legislative Delegation. AND IN FURTHERANCE OF THIS the County Attorney and Councilman Johnson are authorized and directed to investigate courses of action including the solicitation of legal advice on a *pro bono* or contingent fee basis, including the services of Senator Davis. The motion carried with all members present voting in favor.

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

The meeting ended at 7:45 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, ccc
Clerk to Council

Barbara B. Clark
Chairwoman

