



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
HARDEEVILLE CITY HALL
JULY 20, 2015**

5:30 P.M.

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

Staff Present: 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 LeNolon Edge

Staff Absent: Administrator Andrew Fulghum

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 meeting to order at 5:30 p.m.

Executive Session – Council Conference Room – Councilman Drayton moved 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 business in the area served by a public body – Prospect Update Section 30-4-70(a)(5); 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 – Port, Camp Lake Jasper, Settings at Mackay Point, School Redistricting Lawsuit Section 30-4-70 (a)(2) 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 clients whose records are submitted for use at the hearing – Board Appointments, HR Dept. Section 30-4-70(a) (1); Discussion regarding the development of security personnel or devices Section 30-4-70(a) (30). The motion carried with all members present voting in favor.

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

Vice Chairman Sauls moved and Councilman Drayton seconded the motion that the Council approve Chairman Clark be authorized to sign the confidential agreement with Project Gather. The motion carried with all members voting in favor.

Vice Chairman Sauls moved and Councilman Drayton seconded the motion to authorize the Administrator, Staff and the County Attorney to extend the timeline with Camp Lake Jasper for one year. The motion carried with all members present voting in favor.

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

Invocation – Vice Chairman Sauls gave the invocation.

Approval of Agenda – Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

Approval of the Minutes – 06/10/2015, 06/15/2015, and 07/02/2015 - Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to approve the minutes of 06/10/2015, 06/15/2015, and 07/02/2015. The motion carried with all members present voting in favor.

Ordinances

David Tedder – 2nd Reading of the Ordinance to donate +- 7.5 acres of property within the Cypress Ridge Business/Industrial Park to Project Handler – Mr. Tedder explained that the incentive agreement stipulates a timeline for permitting within 24 months. Councilman Johnson moved and Vice Chairman Sauls seconded the motion that this be the 2nd Reading of the Ordinance to donate +- 7.5 acres of property within the Cypress Ridge Business/Industrial Park to Project Handler. The motion carried with all members present voting in favor.

LeNolon Edge – Public Hearing and 2nd 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 079-00-00-011 located along North Okatie Highway from the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map: Councilman Etheridge asked the surrounding property owners contacted to see if they wanted to change their zoning. Mr. Edge said he would look into it. Chairwoman Clark opened the public hearing; Mr. Spisso asked for the location on Hwy. 170 and Mr. Edge explained the location of the property; being no further comment, Chairwoman Clark closed the Public Hearing. Vice Chairman Sauls moved and Councilman Drayton seconded the motion that this be the Public Hearing and 2nd 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 079-00-00-011 located along North Okatie Highway from the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map. The motion carried with all members present voting in favor.

LeNolon Edge – Public Hearing and 2nd Reading of the Ordinance, as amended, to add Other Residential Care Facilities as a conditional use in the Residential District and Rural Preservation District; to amend Article 6:1, Table 1; and to add conditions to Article 11:7 as 11:7.21A – Mr. Edge explained that this ordinance will add Residential Care Facilities as a conditional use in the Residential and Rural Preservation District. Chairwoman Clark opened

the public hearing; there were no comments. Chairwoman Clark 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, as amended, to add Other Residential Care Facilities as a conditional use in the Residential District and Rural Preservation District; to amend Article 6:1, Table 1; and to add conditions to Article 11:7 as 11:7.21A. The motion carried with all members present voting in favor.

LeNolon Edge – 1st Reading of the Ordinance to amend the official zoning map of Jasper County so as to transfer property bearing Jasper County Tax Map Number 036-00-06-18 located at the intersection of Levy road and Breezy Lane from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map –Mr. Edge said the property was surrounded by residential property and the applicant wanted to change the zoning of his property to Community Commercial. Vice Chairman Sauls asked if the Planning Commission recommended approval. Mr. Edge said they did not recommend approval since there was a tied vote. Councilman Etheridge told Mr. Edge to check with the surrounding neighbors and the Council needed some reassurance that the residents are okay with the zoning change. Chairman Clark said she spoke with the fire chief and he did not have a problem with the zoning change. Mr. Edge said the owner wanted to put an office there and park a few trucks and the owner would fence in the area. Councilman Drayton asked what kind of business would be located there and Mr. Edge said a cement business. It was the consensus of the Council to investigate the property and talk with the people. Councilman Johnson moved and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance to amend the official zoning map of Jasper County so as to transfer property bearing Jasper County Tax Map Number 036-00-06-18 located at the intersection of Levy road and Breezy Lane 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.

David Tedder – 2nd Reading of the Ordinance to amend the Exception Section of Ordinance Number 05-04, PURCHASING AND CONTRACTING ORDINANCE, so as to provide for County Council to make exceptions in extraordinary matters- Mr. Tedder explained that currently the Purchase and Contracting Ordinance does not have exceptions and that it can be advantageous to have exceptions for extraordinary circumstances. Vice Chairman Sauls moved and Councilman drayton seconded the motion. The motion carried with all members present voting in favor.

Resolutions - Wilbur Daley – Acceptance of property for the fire training facility at the Fire Tower Road Fire Station- Mr. Daley explained the property being donated would be used for training and they want to do all the training in county except for burns and live burns have to be done in Columbia. Mr. Daley said that Cypress Woods is donating .68 acre. Mr. Tedder did a resolution to accept the property. The Council was very appreciative of the donation and that training was happening in the County. Mr. Daley said that Public Works helped prepare the land. Vice Chairman Sauls moved and Councilman Etheridge seconded the motion to pass the resolution to accept the property for the fire training facility at the Fire Tower Road Fire Station. The motion carried with all members present voting in favor.

Old Business - None

New Business

Councilman Johnson – Discussion regarding charging a per-diem for detainees in the Jasper County Detention Center- Councilman Johnson discussed that the municipalities contribute to the cost of housing inmates. Councilman Johnson said when an officer can write a ticket and he can let the individual go instead of a custodial arrest. Councilman Johnson said he was not talking about a crime that would be a threat to the community. Councilman Johnson said an example would be if a person did not have his driver license, a ticket could be written instead of putting the person in jail. Councilman Johnson said that detention center accounts for 17% of the County's budget. Councilman Johnson said that the municipalities are not using the electronic monitoring devices. Councilman Johnson said a person put in jail for 30 days for not having a driver's license costs the County about \$1,500. Councilman Drayton said he agreed. Vice Chairman Sauls suggested a joint workshop with the municipalities.

Johnny Davis - Request for approval of a professional service contract to update the Sgt.

Jasper Master Plan – Mr. Davis asked the Council to approve a professional service contract with Woods and Partners to update the master plan for the park. Councilman Johnson suggested that a counter offer be made and Mr. Tedder said putting a not to exceed amount for the hourly rate. Councilman Johnson moved and Councilman Drayton seconded the motion to approve a not to exceed contract with Woods and Partners and that the meeting be held at Sgt. Jasper Park and the contract is to include the amount of services that will be provided. The motion carried with all members present voting in favor.

Committee Reports – Councilman Johnson said he attended numerous meetings concerning the port and a meeting regarding TCL. **Councilman Etheridge** reminded everyone to contact their insurance company regarding the new ISO rating. Councilman Etheridge also discussed the "Promise Zone". **Vice Chairman Sauls** said he attended several meetings with the Alliance and the Maritime Commission. Vice Chairman Sauls said he attended several visitations for Sen. Pinckney. Vice Chairman Sauls discussed the instrumental part that Danny Black played in making it happen and that it will improve the quality of life for all the people. **Chairwoman Clark** reported that she attended several visitations for Sen. Pinckney and she attended his funeral in Charleston and presented the family with a resolution for the County. Chairwoman Clark discussed the new voting card and to make sure they knew where they are to go to vote, because some peoples voting locations have changed. Chairwoman Clark said she also attended the NACO conference.

Administrator's Report - 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- Chairman Clark opened the floor to the public. **William Bowman** thanked the Council for allowing him to introduce himself to the County and told the Council he was a candidate for

the District 45 Senate Seat. **Joey Malphrus** said the Town of Ridgeland looks forward to working with the Council in any way that they can. Mr. Malphrus said the town already pays \$3,000,000 in taxes to the County so they already contribute to the detentions center. Mr. Malphrus said that hopefully the Promise Zone can help with law enforcement. Mr. Malphrus said the safety of the people is what is most important and budgetary issues should not come into play. Chairwoman Clark agreed that it was good to work together with the Municipalities. Chairwoman Clark commented that the elections in the Municipalities are handled by the County. Chairwoman Clark said the input from the Municipalities is important. Being no further comments, Chairwoman Clark closed the floor to the public.

Presentation and Proclamations – David Tedder - Gullah/Geechee Nation Appreciation Week – This was delayed until the end of the meeting – Mr. Tedder read the proclamation for July 27, 2015 –August 2, 2015 to be Gullah-Geechee Week in Jasper County and presented Queen Quet a copy of the Proclamation.

Adjourn- Vice Chairman Sauls moved and Councilman Etheridge 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

Barbara B. Clark
Chairwoman