



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
JASPER COUNTY GOVERNMENT BLDG.
August 17, 2015**

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

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 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.

Call to Order – Chairwoman Clark called the meeting to order at 5:30 p.m.

Public Hearing and Presentation regarding The Settings – Mr. Tedder provided a power-point presentation and he followed up with the changes to the procurement policy. Mr. Tedder reviewed the history of The Settings. Mr. Tedder said that Rivers Reach has received an assignment and they presented a proposal to the County to finish the infrastructure project. Mr. Tedder explained the funds the County received from the bonds that were in place for The Settings. Mr. Tedder said that Rivers Reach would not be charging any management fees and they would do the work and County would not be involved, but the County would provide the funds, but Rivers Reach would handle the contracts. Mr. Tedder said no additional lots would be sold until the infrastructure was completed. Mr. Tedder said that Jasper County and BJWSA would do the inspections. Mr. Tedder said that Phase II West is still in litigation and Rivers Reach would fund any shortfall. Mr. Tedder said that a detailed pay request procedure will be in place and the County would not be liable for any work that is done and all costs and expenditures will be audited. Mr. Tedder said that 5% of the funding will be withheld until the final inspections are approved. Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing.

Executive Session – Council Conference Room – Councilman Etheridge moved and Vice Chairman Sauls 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 Gatherers / Ridgeland Claude Dean Airport Section 30-4-70(a)(5) 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 –School Redistricting Lawsuit Section 30-4-70 (a)(2). The motion carried with all members present voting in favor.

Return to Open Session – Vice Chairman Sauls moved and Councilman Etheridge 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 attorney to settle the mediator and attorney fees for the School Board litigation as discussed in executive session. The motion carried with all members present voting in favor.

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

Invocation –Councilman Etheridge gave the invocation.

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

Approval of the Minutes – 07/20/2015 - Vice Chairman Sauls moved and Councilman Drayton seconded the motion to approve the minutes of the 07/20/2015 meeting. The motion carried with all members present voting in favor.

Presentation and Proclamations

Presentation to Mr. Lawrence Bowers – The Council presented Mr. Lawrence Bowers a plaque for his many years of service to the County. Mr. Bowers served on the Election Commission and the Board of Zoning Appeals.

Presentation to L. Martin Sauls, III - The Council presented Mr. L. Martin Sauls, III with a plaque for his 40 years of service as the Coroner of Jasper County. Mr. Sauls also represented Jasper County in the SC House of Representatives and he served on the Jasper County Council.

Proclamation for the Class of 1965 Jasper/ME West High School – The Council passed a Proclamation that Sept. 18-20, 2015 be Jasper County/ME West High School Class of 1965 Day in Jasper County. The Council gave Mr. Drayton a framed proclamation to present to his class at their reunion.

Chairwoman Clark announced the Jasper County won their size division for the J. Mitchell Graham Award. The County's entry was regarding getting the ISO rating down across the County. Chairwoman Clark said she wanted the public to know what is happening regarding the Bees Creek Project. The School District has not received the demolishing permit from the JC Building Department. A stop order has been placed on the site. Chairwoman Clark said the Fire Chief has a condemnation order on the building. Chairwoman Clark said until the School District gets the necessary documents and the building inspector says everything is all right they cannot move forward. School Officials can only give permits to build a school and the School District is building an administration building. Chairwoman Clark said no one is allowed on the

site and the Sheriff is to remove anyone in who is working on the site. A stop order is on the building and nothing can be done until the stop order is removed.

Ordinances

LeNolon Edge –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 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- Mr. Edge explained that there have been no changes and that the planning commission and staff recommend approval. Councilman Etheridge moved and Vice Chairman Sauls 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 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 – 3rd 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 said there were no changes to the ordinance and the planning commission and staff recommend approval. Vice Chairman Sauls moved and Councilman Johnson seconded the motion that this be the 3rd 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 – Public Hearing and 2nd 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 explained that the planning commission did not make a recommendation regarding this ordinance due to a tie vote. Mr. Edge said the planning commission felt it was questionable if the zoning change was appropriate for the area. Councilman Etheridge asked if the surrounding property owners contacted him with any objections. Mr. Edge said he had a few phone calls, but no one submitted anything in writing. Chairwoman Clark opened the public hearing. There were no comments. Chairwoman Clark closed the public hearing. Councilman Etheridge commented that he made a trip to the area to speak with the surrounding property owners, but he only spoke with one individual that did not know what it was about. Councilman Etheridge said he would take another trip to the area before the 3rd reading. Vice Chairman Sauls moved and Councilman Johnson 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 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- 1st Reading of the Ordinance to amend the Jasper County Flood Damage Prevention Ordinance so as to adopt necessary and desirable amendments to the Jasper County Flood Damage Prevention Ordinance adopted October 15, 2007, and thereafter amended on March 16, 2015 by Ordinance 15-01 – Mr. Tedder explained that there was basically a typographical error and the DNR requested the change. Councilman Johnson commented that the Council really had no choice but to make the change or the County would not be eligible for assistance. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion that this be the 1st Reading of the Ordinance to amend the Jasper County Flood Damage Prevention Ordinance so as to adopt necessary and desirable amendments to the Jasper County Flood Damage Prevention Ordinance adopted October 15, 2007, and thereafter amended on March 16, 2015 by Ordinance 15-01. The motion carried with all members present voting in favor.

David Tedder – 1st Reading of the Ordinance to transfer the lift station site (By Title Only) - Mr. Tedder explained that the lift site should be transferred to BJWSA. Mr. Tedder said the grant is closed out so now was the appropriate time to transfer ownership. Councilman Johnson moved and Councilman Drayton seconded the motion that this be the 1st Reading of the Ordinance to transfer the lift station site (By Title Only). The motion carried with all members present voting in favor.

LeNolon Edge – 1st Reading of the Ordinance to amend the Jasper County Zoning Ordinance, as amended, to add Manufactured Housing as a conditional use in the Community Commercial District and: to amend Article6:1, Table 6:1, Table1; and to add conditions to Article 11:7 as 11.7.30B – Mr. Edge explained that the Planning Commission reviewed the request at their August 11, 2015 meeting and they said it was not their original intent that mobile homes not to be allowed and they agreed that mobile homes should be allowed with conditions. Mr. Edge said the standards would be the same as the residential district regarding setbacks and the overlay district also would apply. Councilman Drayton moved and Councilman Johnson seconded the motion that this be the 1st Reading of the Ordinance to amend the Jasper County Zoning Ordinance, as amended, to add Manufactured Housing as a conditional use in the Community Commercial District and: to amend Article6:1, Table 6:1, Table1; and to add conditions to Article 11:7 as 11.7.30B. The motion carried with all members present voting in favor.

Andrew Fulghum – 1st Reading of the Ordinance to establish a Multi- County Park for Project Handler and 1st Reading of the Ordinance to authorize a FILOT agreement for Project Handler- Mr. Fulghum said that the two ordinances would begin the process. Mr. Fulghum aside from the 1% in the MCIP agreement that will go to Hampton County, the ordinance also proposes that 10% be reserved for economic development and the FILOT reduces the tax from 10.5 to 6% for 20 years. Mr. Fulghum said the company will be investing \$2,500,000 and they will have 11 employees. Councilman Etheridge moved and Vice Chairman Sauls seconded the motion to establish a Multi- County Park for Project Handler. The motion carried with all members present voting in favor.

Councilman Drayton moved and Councilman Johnson seconded the motion that this be the 1st Reading of the Ordinance to authorize a FILOT for Project Handler. Then motion carried with all members present voting in favor.

Resolutions

Ronnie Malphrus – Resolution to approve lease purchase agreement for tankers- Mr. Malphrus explained that the bank was requiring a resolution to close their end of the transaction. Councilman Johnson moved and Councilman Drayton seconded the motion to approve the resolution to approve lease purchase agreement for tankers. The motion carried with all members present voting in favor.

Old Business - None

New Business

LeNolon Edge permission to enter into a special service contract for Green Infrastructure Grant upon grant approval – Mr. Edge provided information regarding the grant and requested approval to enter into a special service contract with Green Infrastructure Center Inc. Mr. Edge said they helped him with the grant application at no charge to the County. Mr. Edge said that the only cost to the County would be “in kind” by staff hours. Vice Chairman Sauls moved and Councilman Etheridge seconded the motion to approve entering into enter into a special service contract for Green Infrastructure Center Inc. upon grant approval. The motion carried with all members present voting in favor.

Andrew Fulghum -Presentation of Grant Offer from the Federal Aviation Administration (FAA) for the Ridgeland-Claude Dean Airport – Mr. Fulghum requested approval of the grant. Mr. Fulghum said the grant had a 10% match and was to be used to purchase 235.2 acres. Mr. Fulghum requested that the Council accept the grant and authorize the Chairwoman, the Attorney and himself to complete the paperwork. Vice Chairman Sauls moved and Councilman Drayton seconded the motion to accept the Grant Offer from the Federal Aviation Administration (FAA) for the Ridgeland-Claude Dean Airport and to authorize the Chairwoman, the Attorney and the administrator to complete the necessary paperwork. The motion carried with all members present voting in favor.

Committee Reports- Councilman Drayton reported on a meeting he attended regarding TCL. **Councilman Johnson** reported that he was working on a proposal for Council consideration to make TCL available to the students of Jasper County at no cost to the students. Councilman Johnson said he also attended a geodetic survey to establish boundaries for jurisdictions. Councilman Johnson said he would provide the Council a copy of the final report. **Councilman Etheridge** reported he has been working with the Point South Business Association to improve the looks of Exit 33. Councilman Etheridge reported that he attended a special called meeting regarding The Settings at Mackay Point and he commented that there 100 lots already sold. Councilman Etheridge added that he attended the Delegation meeting and the Delegation made several appointments. **Vice Chairman Sauls** reported that the met with TICO and currently TICO employs 175 people and they are considering building two new structures. Vice

Chairman Sauls said BE GREEN has installed more machinery and is moving forward. Vice Chairman Sauls said he attended a meeting in Chicago regarding commerce. Vice Chairman Sauls listed the various events that will be happening in Jasper County. Vice Chairman Sauls thanked Councilman Johnson and Mr. Fulghum for the work they have done on the Port and he provided a timeline. **Chairwoman Clark** added that Senator Davis has also been working on the Port. Chairwoman Clark said she attended a meeting in Savannah regarding “Sister Cities”. Chairwoman Clark asked Mr. Terry to make sure all the precincts are ready for the upcoming elections.

Administrator’s Report- Mr. Fulghum provided information regarding the bridge closure on Bees Creek Road. Mr. Fulghum said the County did not have any provisions for purchasing used equipment and Mr. Davis wanted to purchase used playground equipment for \$3,250 and install it at the Grays Community Center. Mr. Fulghum said Mr. Davis has the money and labor to do this. It was the consensus of the Council to allow Mr. Davis to purchase the used equipment and to install it at the Grays Community Center. Councilman Johnson suggested that this type of purchase be included in the procurement policy. Mr. Fulghum said that Mr. Edge submitted a CBDG grant application for a project to demolish 12 properties in Jasper County. Mr. Fulghum added that the properties have been condemned. Mr. Fulghum said the project costs were \$149,000 and the grant amount requested was \$135,000.

Chairwoman Clark announced that the Delegation passed a resolution to turn the Transportation Committee over to the County on Sept. 15, 2015

Mr. Edge reported that the illegal operation near the Farmers’ Market has been posted and it has been reported for stealing electric from the Farmers’ Market. Mr. Edge said a letter was delivered to the owner of the property and the business is no longer operating and the property is either for sale or for rent. Chairwoman Clark said if the businesses don’t have the proper paperwork, the business will be shut down.

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 Chairwoman Clark opened the floor to the public. Ms. Bartoldus discussed the intersection of Snake Road and requested permission to get someone to keep that area maintained. Ms. Bartoldus said she did not know who owns the property, but a group of citizens previously planted the area and it needed to be trimmed and cleaned up. Chairwoman Clark asked Mr. Fulghum to find out who owns the property. Mr. Fulghum said he would also get a quote for the maintenance of the area. Mr. Charles Mitchell said that he and the Concerned Citizens would take on that project. Vice Chairman Sauls moved and Councilman Johnson seconded the motion to approve having Mr. Mitchell and the Concern Citizens the area at the Snake Road intersection. The motion carried with all members present voting in favor. Being no further comments, Chairwoman Clark closed the floor to the public.

Adjourn – Vice Chairman Sauls 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 7:50 p.m.

Respectfully submitted by:

Judith M. Frank, CCC
Clerk to Council

Approved by:

Barbara B. Clark
Chairwoman