



**JASPER COUNTY COUNCIL  
J.C. GOVERNMENT BLDG.  
COUNCIL CHAMBERS  
SEPT. 16, 2013  
MINUTES**

**5:00 P.M.**

**5:00 P.M. EXECUTIVE SESSION**

**OFFICIALS PRESENT:** Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Thomas Johnson

**OFFICIALS ABSENT:** Councilman Theodus Drayton, Councilman L. Martin Sauls, IV

**STAFF PRESENT:** Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus

**STAFF ABSENT** – Attorney Marvin Jones

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** –Chairman Etheridge called the meeting to order at 5:20 p.m.

**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, RIDGELAND AIRPORT, PENDING LAWSUITS; 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; LOW COUNTRY BIO MASS-**Vice Chairwoman Clark motioned and Councilman Johnson 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, pending lawsuits; 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; Low Country Bio Mass. The motion carried with all members present voting in favor.

**RETURN TO OPEN SESSION** – The Council returned to open session and took a dinner break. No action was taken.

**7:00 P.M.**

**OFFICIALS PRESENT:** Chairman Henry Etheridge, Vice Chairwoman Barbara Clark, Councilman Theodus Drayton, Councilman Thomas Johnson,

**STAFF PRESENT:** Administrator Andrew Fulghum, Clerk to Council Judith Frank, Director of Administrative Services Ronnie Malphrus, Director of Engineering Services Dale Terry, Director of Emergency Services Wilbur Daley, Planning Director LeNolon Edge

**STAFF ABSENT** – Attorney Marvin Jones

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** –Chairman Etheridge called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE** – Chairman Etheridge led the pledge of allegiance.

**INVOCATION** - Vice Chairwoman Clark gave the invocation.

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

**APPROVAL OF THE MINUTES** – Vice Chairwoman Clark motioned and Councilman Johnson seconded the motion to approve the minutes of the 08/19/2013 meeting. The motion carried with all members present voting in favor

Chairman Etheridge announced that no action was necessary as a result of executive session.

**PROCLAMATIONS AND PRESENTATIONS**

**PRESENTATION TO JIMMY BAKER** – Council presented Mr. Baker with a plaque for his many years of service on the Transportation Committee.

**PRESENTATION OF GFOA CERTIFICATE OF ACHIEVEMENT TO RONNIE MALPHRUS** – Mr. Fulghum presented Mr. Ronnie Malphrus with a certificate from GFOA for excellence in financial reporting.

## **ORDINANCES**

**ANDREW FULGHUM – PUBLIC HEARING AND 3<sup>RD</sup> READING OF AN ORDINANCE TO AMEND THE LEASE AGREEMENT BETWEEN JASPER COUNTY AND HOME TOWN TITLE-** Mr. Fulghum said that there have been two readings and this ordinance was for a lease modification and the tenant would be moved to a different building. Chairman Etheridge opened the public hearing; there were no comments; Chairman Etheridge closed the public hearing. Councilman Johnson and Chairman Etheridge thanked Ms. Langford for her cooperation. Councilman Johnson motioned and Vice Chairwoman Clark seconded the motion that this be the Public Hearing and 3<sup>rd</sup> Reading of an Ordinance to Amend the Lease Agreement between Jasper County and Home Town Title. The motion carried with all members present voting in favor.

**ANDREW FULGHUM –PUBLIC HEARING AND 3RD READING OF AN ORDINANCE TO RENEW THE LEASE AGREEMENT BETWEEN JASPER COUNTY AND JASPER ANIMAL RESCUE MISSION (JARM)** -Mr. Fulghum said that there have been two readings and this ordinance was to renew the lease with JARM. Carol Adams, president of JARM encouraged the Council to renew the lease. Ms. Adams said that JARM would like to have a steering committee to establish the needs and improvements. Ms. Adams invited the Council to visit the facility. 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 3<sup>rd</sup> Reading of the Ordinance to renew the Lease Agreement between Jasper County and Jasper Animal Rescue Mission (JARM). The motion carried with all members present voting in favor.

**ANDREW FULGHUM – PUBLIC HEARING FOR THE ORDINANCE OF THE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN JASPER COUNTY AND LOWCOUNTRY BIOMASS, LLC, WHEREBY JASPER COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAXES ARRANGEMENT WITH LOWCOUNTRY BIOMASS, LLC; PROVIDING FOR PAYMENT BY LOWCOUNTRY BIOMASS, LLC OF CERTAIN FEES IN LIEU OF AD VALOREM TAXES; PROVIDING FOR CERTAIN SPECIAL SOURCE REVENUE OR INFRASTRUCTURE CREDITS; PROVIDING FOR THE ALLOCATION OF FEE-IN-LIEU OF TAXES PAID BY LOWCOUNTRY BIOMASS, LLC, UNDER THE AGREEMENT FOR ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO** – Mr. Fulghum explained that there have been two readings and the first reading was by title only. Mr. Fulghum said that they were not ready for the 3<sup>rd</sup> reading; however, he requested that the

Council move forward with the public hearing. Chairman Etheridge opened the public hearing; there were no comments; Chairman Etheridge closed the public hearing.

**RESOLUTIONS –None**

**OLD BUSINESS - None**

**NEW BUSINESS -None**

**COMMITTEE REPORTS – Vice Chairwoman Clark** discussed the meeting she attended in Virginia and with the Georgia Ports’ Authority regarding the port. **Councilman Johnson** reported on the meeting at Hilton Head Lakes and that he met with 2 members of the Ga. Ports Authority and he was encouraged about the port. He also attended a meeting with Vice President Biden along with Vice Chairwoman Clark and Chairman Etheridge. **Chairman Etheridge** reported on the need for infrastructure and that he attended the Transportation Committee meeting and the Committee was concerned about large trucks using residential neighborhoods for their route. Chairman Etheridge said this situation was being worked on by the Transportation Committee and the company responsible for the large truck traffic. Chairman Etheridge said he attended the Planning Commission meeting and a road name change was approved. Chairman Etheridge said the Planning Commission was also working on the comprehensive plan and it will be completed by December. Chairman Etheridge said he looked over the Council’s Priority and Goals and told the public they will be seeing the results of what this Council has achieved. Chairman Etheridge said they were working on code enforcement, infrastructure, and improving the County’s facilities with grant funds. Chairman Etheridge said this Council wanted to exceed its goals.

**ADMINISTRATOR’S REPORT – Mr. Fulghum** told the Council that Mr. Johnny Davis, Parks and Recreation Director, received a \$22,000 grant to build a walking trail at the Tarboro Center. Mr. Fulghum reported that the County website is being redesigned and it will be more user friendly. Mr. Fulghum said that the RFP is being prepared to be sent out. Mr. Fulghum told the Council he has been working with Mr. Malphrus and Mr. Daley on the fire plan and privatizing ambulance services. Mr. Fulghum suggested a workshop be scheduled to review the information. Mr. Fulghum said he was excited about the fire plan and it will lower the ISO ratings.

**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. **Carolyn Kassel** provide the Council with statistic regarding texting and driving and asked the Council to create an ordinance regarding texting while driving ban and that it be enforced.

**Mary Donovan**- provided pictures for the Council to review of the property next door to her home. Ms. Donovan thanked Chairman Etheridge for visiting the site. Ms. Donovan said that Mr. Martelli told her there were no violations that could be cited. Ms. Donovan said there were codes being broken and an open air sewer pipe is exposed and Mr. Luna buys property for very little and does not bring them to code before he rents them out; Ms. Donovan said the property needed to be brought to code or condemned. Mr. Terry said that DHEC was schedule to inspect the area this week. Chairman Etheridge said the problem is being worked on and Mr. Martelli works for Mr. Fulghum. Ms. Donovan asked if anyone contacted Mr. Luna because certified letters were to be sent to him. **Barbara Bartoldus** discussed the property that the public sees as it enters the town off of the interstate; Ms. Bartoldus said they are met with garbage and debris. Ms. Bartoldus said the ordinances needed more teeth so that they can be enforced. Being no further comment, Chairman Etheridge closed the floor to the public.

**ADJOURN** – Vice Chairwoman Clark motioned and Councilman Johnson 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:

Approved by:

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Judith M. Frank, ccc  
Clerk to Council

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Henry Etheridge  
Chairman