



**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
APRIL 2, 2018  
MINUTES**

**Officials Present:** Chairman D. Thomas Johnson, vice Chairwoman Barbara Clark, Councilman Henry Etheridge, Councilman L. Martin Sauls, IV

**Staff Present:** Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney David Tedder, Director of Administrative Services Ronnie Malphrus Planning Director Lisa Wagner, Director of Engineering Services Dale Terry, EMS Director Frank Edwards, Project Coordinator Gwen Cooler

**Call to Order** – Chairman Johnson called the meeting to order at 4:15 p.m.

**Budget Workshop**

**Boys and Girls Club** – Chris Protz, director of the Lowcountry Boys and Girls, informed the Council of the progress they have made since they first opened in Jasper County in 2001. He said that they have 280 children that attend the clubs in Ridgeland and Hardeeville. Mr. Protz requested an additional \$15,000 to support the reading program. The Council discussed the number of employees and expressed that they were glad to see a club in Hardeeville.

**TCL-** Dr. Gough explained that they were expecting 275 students from Jasper County to attend TCL next year and many students are dual enrollment students. Dr. Gough requested an additional \$50,000 and said they planned to expand their programs with the 180 students at ACE. Dr. Gough said they were still working towards their Industrial Arts Center and asked the Council to consider some sort of millage for TCL. Councilman Etheridge asked about the aerospace program and Dr. Gough said they have about 90 students in aviation mechanics classes. Dr. Gough said those students have 100% placement upon graduation. Dr. Gough said 50% of the students pay nothing and others pay only about \$1,000. Dr. Gough said they would work harder at keeping the Council informed as to what is happening.

**Executive Session** – Councilman Sauls moved and Vice Chairwoman Clark 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 – Section 30-4-70(a)(5) – Prospect Update, Jasper Ocean Terminal; Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the 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) – ABM, Cat Branch Road, AS/R Systems, Inc. Discussion of employment, appointment,

compensation, promotion, demotion discipline, release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body hearing; however, if an adversary hearing involving an employee or client is held, the employee or client has the right demand that the hearing be conducted publicly nothing, contained in this it 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 – Section 30-4-70(a) (1) – Human Resources Department, Finance Department. The motion carried with all members present voting in favor.

**Return to Open Session-** Councilman Etheridge moved and Vice Chairwoman Clark seconded the motion to return to open session. The motion carried with all members present voting in favor.

**Action from Executive Session:** Councilman Sauls moved and Councilman Etheridge seconded the motion to approve the finance clerk position for the Clerk of Court and the position will be paid for from the Clerk of Court’s budget. The motion carried with all members present voting in favor.

Councilman Sauls moved and Vice Chairwoman Clark seconded the motion to authorize the Administrator to follow through with the items relating to the Port. The motion carried with all members present voting in favor.

**Pledge of Allegiance-** Chairman Johnson led the Pledge of Allegiance.

**Invocation-** Councilman Sauls gave the invocation.

**Approval of Agenda –** Vice Chairwoman Clark moved to amend the agenda to have the Public Hearing but not the 3rd Reading of an Ordinance Public Hearing and 3<sup>rd</sup> Reading of an Ordinance to establish, pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, a Multi- County Industrial/Business Park (the “Park”), in conjunction with Allendale County, Bamberg County, Barnwell County, Beaufort County, Colleton County, and Hampton County, South Carolina; to provide for a written agreement by Jasper County with Allendale County, Bamberg County, Barnwell County, Beaufort County, Colleton County, and Hampton County as to the sharing of the revenues and expenses of the Park; to provide for the distribution of revenues from the Park among taxing entities having jurisdiction over the Park; to provide for a Fee In Lieu of Ad Valorem Taxation; and other matters related thereto

**Approval of the Minutes – 03/05/2018 –** Councilman Etheridge moved and Vice Chairwoman Clark seconded the motion to approve the minutes of 03/05/2018. The motion carried with all members present voting in favor.

**Presentations and Proclamations – 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 Johnson opened the floor to the public. **Marilyn Arseneau** discussed the concerns regarding the education crisis and the several opening on the School Board. Ms. Arseneau requested that Council work with her group to advocate this crisis. Being no further comments Chairman Johnson closed the floor to the public.

### **Resolutions**

**David Tedder –Resolution that April, 2018 is Fair Housing Month – Councilman Sauls moved and Vice Chairman Clark seconded the motion to pass the Resolution that April 2018 is Fair Housing Month.**

**David Tedder – Resolution Renewing the Equal Opportunity Plan – Vice Chairman Clark moved and Councilman Sauls seconded the motion to pass the Resolution Renewing the Equal Opportunity Plan. The motion carried with all members present voting in favor.**

**Frank Edwards – Resolution National Public Safety Telecommunicators Week April 8-14, 2018 – Vice Chairwoman Clark moved and Councilman Etheridge seconded the motion to pass the Resolution that National Public Safety Telecommunicators Week will be April 8-14. The motion carried with all members present voting in favor.**

### **Ordinances**

**Lisa Wagner/ David Tedder -Public Hearing and 2<sup>nd</sup> Reading of the Ordinance to Amend the Jasper County Code of Ordinances by amending (1), Article II of Chapter 25 (*Streets, Sidewalks and Other Public Places*); and (2), amending several Articles of Appendix B, *Land Development Regulations*), including (a), Article 2 (*Applications to Develop or Alter the Use of Land*); (b), Article 3, (*Site Plan Requirements*); (c), Article 4 (*Subdivision Plat Requirements*); (d), Article 7 (*Road Classification and Design Standards*); and (e), Article 8 (*General Subdivision Design Standards*) so as to amend these Articles to remove certain inconsistencies or ambiguities regarding road and drive standards; provide for a better system of processing encroachment permits from the County onto County owned or maintained roads, with related standards for such; to provide for revisions to the ordinance sections providing for private road agreements in subdivisions to ensure adequate funding for maintenance and repair; provide for consistent intersection and curb cut separations; reduce the total number of lots allowed as a Minor Subdivision from ten to four, including the remainder of the original parcel; clarify the prohibition on utilizing serial subdivisions to avoid the requirements for a Major Subdivision; and matters related thereto – Mr. Tedder said that the ordinance addresses many issues and concerns about sub-division regulations and the planning commission has reviewed the ordinance several times. Mr. Tedder discussed the changes and special requirement. Councilman Etheridge said the Planning Commission’s main concern was heirs property and they wanted some amendments regarding heirs property. Chairman Johnson opened the public hearing. There were no comments. Chairman Johnson closed the**

public hearing. Councilman Etheridge moved and Vice Chairwoman Clark seconded the motion that this be the Public Hearing and 2<sup>nd</sup> Reading of the Ordinance to Amend the Jasper County Code of Ordinances by amending (1), Article II of Chapter 25 (*Streets, Sidewalks and Other Public Places*); and (2), amending several Articles of Appendix B, *Land Development Regulations*), including (a), Article 2 (*Applications to Develop or Alter the Use of Land*); (b), Article 3, (*Site Plan Requirements*); (c), Article 4 (*Subdivision Plat Requirements*); (d), Article 7 (*Road Classification and Design Standards*); and (e), Article 8 (*General Subdivision Design Standards*) so as to amend these Articles to remove certain inconsistencies or ambiguities regarding road and drive standards; provide for a better system of processing encroachment permits from the County onto County owned or maintained roads, with related standards for such; to provide for revisions to the ordinance sections providing for private road agreements in subdivisions to ensure adequate funding for maintenance and repair; provide for consistent intersection and curb cut separations; reduce the total number of lots allowed as a Minor Subdivision from ten to four, including the remainder of the original parcel; clarify the prohibition on utilizing serial subdivisions to avoid the requirements for a Major Subdivision; and matters related thereto. The motion carried with all members present voting in favor.

**David Tedder – Public Hearing and 3<sup>rd</sup> Reading of an Ordinance authorizing the acceptance of authority for conducting Municipal Elections in the City of Hardeeville by the Board of Voter Registration and Elections of Jasper County; to define the powers, duties and responsibilities assumed by the Board of Voter Registration and Elections of Jasper County; to provide for reimbursement of all costs and expenses incurred by the Board of Voter Registration and Elections of Jasper County in the conduct of such Municipal Elections; and to provide for other matters relating thereto-** Mr. Tedder explained that Hardeeville has requested that the County's Board of Voter Registration and Elections conduct Hardeeville's election. Mr. Tedder said the Director provided some estimates of costs and the only change that was made was adding a termination and estimate of costs prior to the election was added. Mr. Tedder said he was not provided any firm numbers. Chairman Johnson opened the public hearing. There were no comments. Chairman Johnson closed the public hearing. Councilman Etheridge moved and Vice Chairwoman Clark seconded the motion that this be the Public Hearing and 3<sup>rd</sup> Reading of an Ordinance authorizing the acceptance of authority for conducting Municipal Elections in the City of Hardeeville by the Board of Voter Registration and Elections of Jasper County; to define the powers, duties and responsibilities assumed by the Board of Voter Registration and Elections of Jasper County; to provide for reimbursement of all costs and expenses incurred by the Board of Voter Registration and Elections of Jasper County in the conduct of such Municipal Elections; and to provide for other matters relating thereto. The motion carried with all members present voting in favor.

**Lisa Wagner – 3<sup>rd</sup> Reading of the Ordinance to Amend the Jasper County Zoning Ordinance, Article 9:5.1, Storage and Use of Campers and Recreational Vehicles, so as to amend Article 9:5.1 and to add Article 9:5.1.1, Temporary Emergency Dwelling -** Ms. Wagner explained that the ordinance is for a text amendment to allow recreational vehicles to be used as temporary emergency dwellings for 6 months with the possibility of a renewal for an

additional 6 months. Councilman Sauls moved and Councilman Etheridge seconded the motion that this be the 3<sup>rd</sup> Reading of the Ordinance to Amend the Jasper County Zoning Ordinance, Article 9:5.1, Storage and Use of Campers and Recreational Vehicles, so as to amend Article 9:5.1 and to add Article 9:5.1.1, Temporary Emergency Dwelling. The motion carried with all members present voting in favor.

**David Tedder – Public Hearing for an Ordinance to establish, pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, a Multi-County Industrial/Business Park (the “Park”), in conjunction with Allendale County, Bamberg County, Barnwell County, Beaufort County, Colleton County, and Hampton County, South Carolina; to provide for a written agreement by Jasper County with Allendale County, Bamberg County, Barnwell County, Beaufort County, Colleton County, and Hampton County as to the sharing of the revenues and expenses of the Park; to provide for the distribution of revenues from the Park among taxing entities having jurisdiction over the Park; to provide for a Fee In Lieu of Ad Valorem Taxation; and other matters related thereto** Chairman Johnson opened the public hearing. There were no comments. Chairman Johnson closed the public hearing.

**David Tedder – Public Hearing and 2<sup>nd</sup> Reading of an Ordinance Authorizing and Approving (1) the diminishing of the boundaries of an existing Multi-County Industrial/Business Park (RiverPort) pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, to remove there from certain property now or to be owned and/or operated by Waste Management of Georgia, Inc, a company previously identified as Project LEE, one or more affiliates, and/or other Project Sponsors; (2) development of a new Joint County Industrial and Business Park pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Beaufort County (the “Park”), such Park to be, at the time of Its initial development, geographically located in Jasper County and to include the aforementioned property; (3) the execution and delivery of a written Park Agreement with Beaufort County as to the requirement of payments of Fee in Lieu of *Ad Valorem* Taxes with respect to Park Property and the sharing of the revenues and expenses of the Park; (4) the distribution of revenues from the Park within Jasper County; and (5) other matters related thereto –** Chairman Johnson opened the public hearing. There were no comments. Chairman Johnson closed the public hearing. Vice Chairwoman Clark moved and Councilman Sauls seconded the motion that this be the Public Hearing and 2<sup>nd</sup> Reading of an Ordinance Authorizing and Approving (1) the diminishing of the boundaries of an existing Multi-County Industrial/Business Park (RiverPort) pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, to remove there from certain property now or to be owned and/or operated by Waste Management of Georgia, Inc, a company previously identified as Project LEE, one or more affiliates, and/or other Project Sponsors; (2) development of a new Joint County Industrial and Business Park pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Beaufort County (the “Park”), such Park to be, at the time of Its initial development, geographically located in Jasper County and to include the aforementioned property; (3) the execution and delivery of a written Park Agreement with Beaufort County as to

the requirement of payments of Fee in Lieu of Ad Valorem Taxes with respect to Park Property and the sharing of the revenues and expenses of the Park; (4) the distribution of revenues from the Park within Jasper County; and (5) other matters related thereto. The motion carried with all members present voting in favor.

### **Old Business**

**Ronnie Malphrus – Sheriff’s request for A-Tax Funds** – Mr. Malphrus said the original request was presented before and he was waiting on an opinion as to if the request qualified for A-Tax fund. Mr. Malphrus said the Attorney General responded it was and Mr. Malphrus said all other A-Tax requests were funded. Chairman Johnson asked how much was for cameras and Mr. Malphrus said \$20,000. Vice Chairman Clark moved and Councilman Sauls seconded the motion to approve the Sheriff’s request for A-Tax funds from the current fiscal year. Chairman Johnson said he was set against putting the Sheriff in the traffic business. Chairman Johnson said he was in favor of items of protection, but he cannot support radar devises as radar does not encourage tourism. The motion carried with Vice Chairman Clark, Councilman Etheridge and Councilman Sauls voting for. Chairman Johnson voted against.

**Frank Edwards - Consideration of Proposal from Thomas and Hutton for the Marsh Cove Fire Station** – Mr. Edwards told the Council that the funds were already in the budget, they can do the landscaping in house and he spoke with Alliance and they said they could not give a better price. Mr. Edwards asked the Council to approve the proposal from Thomas and Hutton for the Marsh Cove Fire Station in an amount not to exceed \$29,800. Councilman Sauls moved and Vice Chairman Clark seconded the motion to approve the proposal from Thomas and Hutton for the Marsh Cove Fire Station in an amount not to exceed \$29,800. The motion carried with all members present voting in favor.

**Gwen Cooler – 2018 CBDG Needs Assessment Prioritization List-** Ms. Cooler provided the Council with the 2018 CDBG Needs Assessment List. Councilman Sauls moved and Vice Chairman Clark seconded the motion to approve the Prioritized list for the 2018 CDBG Needs Assessment. The motion carried with all members present voting in favor.

### **New Business**

**Dale Terry- Consideration of Bids for Tuten’s Landing** – Mr. Terry said that he received a grant with a County match and the lowest bid he received was \$89,300. Councilman Sauls discussed the angle of the ramp and asked if it was being extended. Mr. Terry said they were only going to fix what was there. Mr. Malphrus said the match is 50%. Mr. Terry said the plans and specs were done by SC Dept. of Recreation. Councilman Sauls moved and Councilman Etheridge seconded the motion to approve the bid of \$89,300 from JD Gaskins Construction. The motion carried with all members present voting in favor.

**Andrew Fulghum – Consideration of Professional Service Contract with – Holt Consulting Co., LLC – for Schematics Design of the New Terminal Bldg at the Ridgeland Claude Dean**

**Airport-** Mr. Fulghum presented the contract for \$35,200. Councilman Sauls moved and Councilman Etheridge seconded the motion to approve the professional service contract with Holt Consulting Co., LLC for Schematics Design of the New Terminal Bldg at the Ridgeland Claude Dean Airport. The motion carried with all members present voting in favor.

**Andrew Fulghum – Presentation of Proposed Change Order for Phase II at the Ridgeland Claude Dean Airport** – Mr. Fulghum explained the changes and said the it would save about \$60,000 on Phase II and it has been approved by the FAA. Councilman Sauls moved and Vice Chairman Clark seconded the motion to approve the change order in the amount of \$49,155 but not to exceed \$60,000. The motion carried with all members voting in favor.

**Council Members’ Comments – Councilman Sauls** met with S. O. L.O.C.O. in Hardeeville and received an update on a community project that includes a proposal for storm water runoff. Councilman Sauls announced that Ronnie Malphrus was named Jasper County Employee of the Year at Jasper on the Move and General Lloyd Newton received the Sgt. Jasper Award. Councilman Sauls reminded the public that Jasper County Day at the State House was April 24, 2018. **Vice Chairwoman Clark** said she attended the Men’s Breakfast, the Community Meeting held be Sen. Bright-Matthews and Jasper on the Move. Vice Chairwoman Clark congratulated Mr. Malphrus and thanked him for taking good care of the County’s money. **Councilman Etheridge** said that Ronnie Malphrus has done a great job for 30 years for Jasper County. Councilman Etheridge said he attended a JOT meeting and both states agreed that Jasper County will not have a Port until 2035 and they were working on what could be done to speed it up. Councilman Etheridge said he attended Jasper on the Move and the Planning Commission meeting. **Chairman Johnson** reported he has been occupied with the Port as he has been for the last 20 years.

**Administrator’s Report-** Mr. Fulghum said his report was provided for information.

**Adjourn-** Vice Chairwoman Clark moved and Councilman Sauls seconded the motion to adjourn. The motion carried with all members present voting in favor.

The meeting ended at 7:45 p.m.

Respectfully submitted by:

Approved by:

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Judith M. Frank, ccc  
Clerk to Council

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D. T. Johnson, Jr.  
Chairman

