



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
July 23, 2018
MINUTES**

Officials Present: Chairman D. Thomas Johnson, Vice Chairwoman Barbara Clark, Councilman L. Martin Sauls, IV Councilman Henry Etheridge and Councilman Greg Altizer

Called to Order: The meeting was called to Order by Chairman Johnson at 4:30 P.M.

Executive Session: Meeting moved to executive session with all members voting unanimously.

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

- (a) A public body may hold a meeting closed to the public for one or more of the following reasons:
- (1) 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 the 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 the other employees or clients whose records are submitted for use at the hearing – Human Resources, Acting Clerk to Council
 - (2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related 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) – SLF-III, Fire Contracts/Service Areas
 - (5) 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 - Section 30-4-70(a)(5) – Prospect Update, Project Peach, Project Rabbit

Councilman Sauls moved and Councilwoman Clark motioned to Return to open Session. Motion passes with all members present voting.

Return to Open Session: Meeting returned to Open Session at approximately 6:30 P.M. with all members voting unanimously.

Councilwoman Clark moves and Councilman Sauls seconds the motion to appoint Bonnie Lawson during the disability or absence of the appointed Clerk to Council. Motion passes with all members present voting.

Chairman Johnson having no further motions out of the Executive Session returns to the Agenda.

Staff Present: Administrator Andrew Fulghum, Attorney David Tedder, Director of Administrative Services Kim Burgess, Project Coordinator Gwen Cooler, Director of IT, Earl Bostick and Fire Chief Frank Edwards

Pledge of Allegiance – Councilman Sauls led the Pledge of Allegiance.

Invocation – Councilwoman Clark gave the invocation.

Chairman Johnson welcomes the newest Council Member, Greg Altizer, saying that he was sworn in privately and the public swearing in will come at a later time so that certain people will be able to attend.

Approval of Agenda

Attorney Tedder points out three typographical errors in the Agenda under Ordinances item XI A. In the Agenda as presented two “Hampton” County references should be replaced with “Beaufort” and one reference to “Beaufort” County should be replaced with “Jasper”.

Councilman Altizer moves and Vice-Chairwoman Clark seconds the approval of the Amended Agenda with corrections as presented by Attorney Tedder. Motion passes with all members present voting.

Approval of the Minutes – Deferred

Councilwoman Clark moves and Councilman Sauls seconds the motion to defer the Minutes. Motion passes with all members present voting.

Presentations and Proclamations – None

Public Hearing

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 thirty minutes.

Chairman Johnson opens the Floor to public comment.

John Kemp of Hardeeville said the basic of government is to inform citizens. He read the Agenda and he is lost. He would like to see the Council post the materials with the Agenda online.

Representative Bill Bowers welcomes the new Councilman and he was encouraged by discussions at the conference of the Low Country Delegation about the Jasper Port. Nine Legislative Delegates were present today and there was a new energy to rekindle the interest in the local branches of government to prepare for the Port. South Carolina is looking to sell Santee Cooper at the highest price but that might not be the best for South Carolina because it results in the highest cost to rural South Carolina. Councilman Sauls thanked Representative Bowers for being cautious and aware of the electric cost

because we have lost business investors to other states that had even one penny difference in the electric rate. It matters and we rely on the General Assembly to do what is best and so important to get it right as we seek economic development.

Resolutions

Andrew Fulghum and Sandy Steele – Inducement Resolution – Ridgeland Pellet Company, LLC – Providing preliminary approval for certain incentives to induce one or more investors identified for the time being as Project Rabbit, each acting for itself, one or more current or future affiliates, and other project sponsors (collectively, “Company”) to establish facilities in Jasper County, South Carolina (“County”), such incentives to include (1) a negotiated fee in lieu of *ad valorem* tax arrangement; (2) infrastructure credits; (3) multi-county industrial or business park arrangements; and (4) other related matters. Ms. Steel said this project represents and 8.1 Million dollar investment and the creation of 27 jobs.

Councilman Sauls moves and Councilman Etheridge seconds the approval of this Resolution as presented. Motion passes with all members present voting.

Andrew Fulghum and Sandy Steele – Inducement Resolution – Project Peach – Providing preliminary approval for certain incentives to induce one or more investors identified for the time being as Project Peach, each acting for itself, one or more current or future affiliates, and other project sponsors (collectively, “Company”) to establish facilities in Jasper County, South Carolina (“County”), such incentives to include (1) a negotiated fee in lieu of *ad valorem* tax arrangement; (2) infrastructure credits; (3) multi-county industrial or business park arrangements; and (4) other related matters. Ms. Steele said this project represents a 249 million dollar investment in Jasper County.

Councilman Sauls moves and Councilman Altizer seconds the approval of this Resolution as presented. Motion passes with all members present voting.

Ordinances

Andrew Fulghum – Project Peach – 1st Reading (by title only) of an Ordinance acknowledging the termination 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; and authorizing and approving (1) 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 geographically located in Jasper County; (2) 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; (3) the distribution of revenues from the Park within Jasper county; and (4) other matters related thereto.

Councilman Etheridge moves and Councilwoman Clark seconds the 1st Reading (by title only) of this Ordinance as amended to correct typographical errors as stated in the approving of the Amended Agenda. Motion passes with all members present voting.

Andrew Fulghum – 1st Reading (by title only) of an Ordinance authorizing (1) the execution and delivery of a Fee-in-lieu of Tax and Incentive Agreement by and between Jasper County, South Carolina (the “County”) and a company identified for the time being as Project Peach, acting for itself, one or more

affiliates, and/or other project sponsors (collectively, the “Company”), pursuant to which the County shall covenant to accept certain negotiated Fees-in-Lieu of *ad valorem* taxes with respect to the establishment and/or expansion of certain facilities in the County (the “Project”); (2) the benefits of a Multi-County Industrial or Business Park to be made available to the Company and the Project; (3) certain special source revenue credits in connection with the Project; and (4) other matters relating thereto.

Councilwoman Clark moves and Councilman Altizer seconds the 1st Reading (by title only) of this Ordinance as presented. Motion passes with all members present voting.

Andrew Fulghum – Project Rabbit – 1st Reading (by title only) of an Ordinance authorizing the county to execute and deliver a Master Park Agreement for the creation and maintenance of a Multi-County Business or Industrial Park between Jasper County, South Carolina, and one or more other counties; providing for the allocation of Fee-in-Lieu of *ad valorem* tax revenue paid by one or more project sponsors under the Master Park Agreement; and other related matters.

Councilwoman Clark moves and Councilman Altizer seconds the 1st Reading (by title only) of this Ordinance as presented. Motion passes with all members present voting.

Andrew Fulghum – Project Rabbit – 1st Reading of an Ordinance authorizing the execution and delivery of a Fee-in-lieu of *ad valorem* tax and Infrastructure Credit Agreement by and between Jasper County and Project Rabbit; the inclusion of certain property located in Jasper County in a Multi-County Industrial or Business Park; the provision of credits against Fee-in-lieu of Tax payments; and other related matters.

Councilman Sauls moves and Councilwoman Clark seconds the 1st Reading (by title only) of this Ordinance as presented. Motion passes with all members present voting.

Lisa Wagner – Zoning Map Amendment – 1st Reading of an Ordinance to Amend the Official Zoning Map of Jasper County so as to zone or rezone portions of property bearing Jasper County Tax Map Number 063-24-02-002 from the General Commercial Zone and the Residential Zone to the General Commercial Zone on the Jasper County Official Zoning Map.

Councilman Sauls moves and Councilwoman Clark seconds to table the 1st Reading of this Ordinance as presented until the Council may contact residents in this area and study this a little bit more. Motion passes with all members present voting.

Discussion between the Council and Ms. Wagner ensues relating to location, adjacent parcels and buffers.

Councilwoman Clark moves and Councilman Etheridge seconds the Motion to waive the standard procedure due to the fact that this is a deferred item and have the public hearing at the first reading on the August 20th Council Meeting. Motion passes with all members present voting.

Lisa Wagner – Zoning Map Amendment – 1st Reading of an Ordinance to Amend the Official Zoning Map of Jasper County so as to depict Highway 278 (Independence Boulevard), from the intersection of Highway 17 to the Beaufort County line as a Highway Corridor Overlay District, to depict a portion of Highway 17 (Whyte Hardee Boulevard) just south of the intersection of Highway 278 to the Hardeeville city limits as a Highway Corridor Overlay District, to remove Highway 29 (Smith’s Crossing Road) entirely from the Highway Corridor Overlay District, to remove a portion of Highway 336 (Tillman Road), from the intersection of Highway 336 (Tillman Road) and Highway 29 (Smith’s Crossing) to Tillman from the Highway Corridor

Overlay District, and to remove Highway 321 (Deerfield Road), from Tillman to the Hardeeville city limits from the Highway Corridor Overlay District.

Chairman Johnson asked if the Town of Ridgeland and the City of Hardeeville have been made aware of the requested changes. Further discussion ensued.

Councilman Etheridge moves and Councilwoman Clark seconds the motions to table this until the next meeting allowing time for further study and input from the Town of Ridgeland and the City of Hardeeville. Motion passes with all members present voting.

New Business

Earl Bostick – Computer Cabling of Law Enforcement Center seeking approval of a proposal for rewiring and upgrading of the Detention Center at the cost of \$23,774.63 with a six year warranty. Discussion ensued regarding it not been put up for bid because many bidders would not be able to meet the Sled qualifications. The installer of this proposal is the only one in the area that meets the Sled requirements from the South Carolina Law Enforcement Division to be in the building with the inmates. Mr. Fulghum responded that the money would come from a portion in the budget in holding for the purpose of upgrading the Center.

Councilwoman Clark moves and Councilman Altizer seconds the Motion to approve the proposal for rewiring and upgrading of the Detention Center at the cost of \$23,774.63 with a six year warranty. Motion passes with all members present voting.

Mr. Fulghum stood in for Johnny Davis – Presentation of Bids – Parks & Recreation Projects in Grays and Robertville regretfully all bids received were above budget so we will have to regroup and start again.

Old Business

Lisa Wagner – Development of Regional Stormwater Model Ordinance and Technical Standards Design Manual and Funding Request \$19,898 to participate in the Regionalization of Storm Water Management Model Ordinance and Technical Standards Design Model. At the December 5th, 2017 meeting, the Storm Water Technical sub-committee presented the Ordinance and recommended to SoLoCo hiring a consultant to draft the standard design manual for all jurisdictions within Beaufort and Jasper Counties. The SoLoCo Board members recently voted that each jurisdiction participate in the project. Beaufort County released the qualifications for a Regional Storm Water Model Ordinance and Technical Design Manual. Two proposals were received with similar qualifications, scopes and time frames from Center of Watershed Protection for 179,554 and Environment and Infrastructures Solutions for \$223,420. The Storm Water Technical sub-committee recommended to the SoLoCo Board hiring Center of Watershed Protection for 179,554, at the June 2018 meeting. The scope of work includes developing a model storm water ordinance proposing regional design standards, facilitate stake holders and public meetings, training sessions for key staff members. The sub-committee has recognized that there are varying issues throughout the regions such as urban areas verses rural areas; fresh water verses salt water wetlands; water quality impairments; re-development pressures; flooding and conveyance verses water quality. Based on these issues the sub-committee envisions the concept of overlays. The technical standards would be set up with a basic set of water design standards that meet the minimum DHEC requirements and would have additional standards for overlays that could be applied to watersheds based on the particular issue of the water body. Staff is requesting confirmation of Jasper County's participation in the

project to develop a regional storm water model ordinance and technical standards design manual. Participation will include cost sharing of the project. Jasper County's cost will be \$19,889. That number is based on population. Money is in the joint planning account to cover this expense. Staff respectfully requests approval of this recommendation. Council Etheridge asked if we do not go with Beaufort could the \$19,889 be used to do our own Jasper study. Mr. Tedder said the end product will be a technical manual and model ordinances that you can use to pick and choose out of those now and into the future. Councilman Sauls attended the meeting and in response to Chairman Johnson's question said nothing was controversial and as far as the money with a pro rata basis it is about as fair as it is going to get. If we try to do this on our own, we will probably pay about ten times more. Ms. Wagner said we have a meeting tomorrow and they are seeking confirmation of commitment for the cost-share.

Councilwoman moves and Councilman Altizer motioned to accept the development of the Regional Stormwater Model Ordinance and Technical Standards Design Model and funding request of \$19,889. Motion passes with all members present voting.

Council Members' Comments

Councilman Sauls said we are excited that the Jasper Chamber hired Ashton Daley for the new satellite office in Hardeeville, opening August first. The SouthernCarolina Alliance Directors meet tomorrow at 5:30 P.M. at Palmetto Electric. Thursday at Palm Key the Bluffton Jasper Volunteers in Medicine event will be held at 5:30 P.M. Tomorrow morning at 10:00 A.M. will be a meeting of SoLoCo at the City of Hardeeville.

Councilwoman Clark has been under the weather the last 3-4 weeks and asks for prayer as she is taking a nuclear heart test in the morning. She attended the LATS meeting which is always informative. We are still talking about I-95 and Highway 17, but the majority of time we talked about getting the work done on Highway 278. She attended a five-day meeting in Kissimmee Florida dealing with drugs and training the young people. About 500 young people attended and they were excited and could leave certified. It was a long conference and a hard conference but a very good conference. We encourage everyone to attend on August 2nd at 5:00 P.M. the reception on the Hardeeville Campus to be held the new Superintendent. She encourages everyone to get on board to support the educational system as it is a must in the developmental growth in Jasper County.

Councilman Altizer thanks everyone for a warm welcome as the new Councilman. He has already seen that we all have the same vision to make Jasper County a better place to live

Councilman Etheridge attended the Beaufort Jasper EOC meeting and would like to remind that EOC is here to assist people who are less fortunate and of age. The EOC office is located behind the new Polaris Charter School. He has been away but he has answered several complaints and we got some things done such as the wall out at the Elections Commission and he thanked Dale Terry for that.

Fire Chief Edwards was asked the camera in regard to the Marsh Cove Fire Station. He encouraged people in the Marsh Cove Fire Station area, if they have not yet completed a survey please do so. We are trying to receive a grant to help build a fire station in March Cove. We need more surveys turned in. If you need a survey you can give us a call and we can deliver it to you or you can stop by Emergency Services on Grays Highway. The surveys can be mailed to the address listed on the survey or to the Emergency Services on Grays Highway.

Chairman Johnson sent letters and email on various things privy to listen on Delegation Conference call for an hour or so today. We are hammering on the Port situation.

Administrator's Report reports provided in your Council packet. Chairman Johnson asked if an acceptable bid was received for the Hardeeville Park. Mr. Fulghum will check on that and respond.

Adjourn

Councilwoman Clark moved and Councilman Sauls seconds the Motion to adjourn. The Motion passes with all Councilmembers present voting.

Meeting adjourned at approximately 7:45 P.M.

Respectfully submitted:

Approved:

Bonnie Lawson
Acting Clerk to Council

D. Thomas Johnson, Jr.
Chairman

Chairman Johnson
having offered ample opportunity for public comment, declares the public hearing closed and seeks a motion relative to Resolution.