



**JASPER COUNTY COUNCIL  
COUNCIL CHAMBERS  
September 04, 2018  
MINUTES**

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

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

**Staff Present:** Administrator Andrew Fulghum, Attorney David Tedder, Director of Administrative Services Ronnie Malphrus, Project Coordinator Gwen Cooler, Director of Planning and Building, Lisa Wagner and Coordinator of Planning and Zoning, Bonnie Lawson

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.

**Executive Session** – Vice-Chairwoman Clark moved and Councilman Etheridge seconded the motion to go into Executive Session at 4:35 P.M. for discussion of matters relating to 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 – Finance, Clerk to Council; negotiations incident to proposed contract arrangements and proposed purchase or sale of property, threatened, or potential claim 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) – Avenu Insights & Analytics, Project M, Fire Contracts; and 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) – Project Update, Project Rabbit, Project Peach, Jasper Ocean Terminal. All Members 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 at 6:35 P.M.

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

**Invocation** – Councilman Altizer gave the invocation.

**Executive Session Business Requiring Action**

Councilman Etheridge moved and Vice-Chairwoman Clark seconded the motion to authorize the County Administrator to execute an option contract subject to further Council approval and ratification on one or more parcels of land as we discussed in Executive Session. The motion carried with all members present voting in favor.

Councilman Etheridge moved and Councilman Sauls seconded the motion to authorize the County Council Chairman to execute the ratification of the option contract for Tax Map Number 067-01-00-039-01. The motion carried with all members present voting in favor.

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

**Minutes** – Councilman Sauls moved and Vice-Chairwoman Clark seconded the motion to defer the approval of minutes. The motion carried with all members present voting in favor.

### **Presentations and Proclamations**

**Steve Roundtree – “Wreaths Across America”** L. Martin Sauls, III, invited everyone to “Wreaths Across America” scheduled for December 15<sup>th</sup> at the same place and time as last year. Ridgeland Cemetery will again participate, and Gillisonville, Grimes and Grahamville cemeteries will also be participating this year. This year we are honored to have Four Star General Newton giving the address. We will also honor the female veterans who have served in the past and those serving now. Ms. Mary Wallace Berry deserves the credit regarding Jasper’s participation in the “Wreaths Across America” program. Steve Roundtree follows up by presenting the Council with a Book containing snapshots of the events from last year. Vice-Chairwoman Clark asked that Greater Mount Olive Cemetery be added to the list of participants.

**Kendall Wall Malphrus – Jasper County Chamber of Commerce** Presents Ainsley Daley as the new Public Relations Director of the Satellite office located in Hardeeville.

**Anmarie Reiley-Kay – The Morris Center** gives a presentation on their theme “Grow with Us”. She expands on all of the events planned for the upcoming year adding that they try to keep their exhibits local with the mission to cultivate community education, preservation and celebration of this area’s rich history and culture in the lowcountry. The Morris Center won a State award for their WWII exhibit. The Sinclair Station is on the South Carolina Historic Register. They are developing a core curriculum with the State that is being integrated into the school classrooms as a resource. She introduces staff member Tamara Herring who presents the expansion of the building and upgrading the usable space at the Morris Center. Twelve Grants have been received and the number of visitors is continually increasing. Third Fund Raising Gala is being planned. Brochures and posters are given to the Council asking for their support. Ms. Kay said that she will be moving to North Carolina but she will return to the Morris Center periodically. The Center will hire her replacement and maybe two new employees. She thanked the County Council for their support and allowing them to speak. Ms. Herring extended an invitation for a farewell gathering for Ms. Kay at the Morris Center on September 20<sup>th</sup>, from 5:30 – 7:00 P.M. The Council extends gratitude.

### **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 recognizes Jennifer Carter, the Chief Financial Director of the Jasper County School District, standing in for Dr. Anderson. She thanked the Council for their support to the District, Community and more importantly the students. The future economic development is a vital key to success for the rural end of the County. She asked that they please continue with the format of providing effective resources for everyone. The District appreciates how the County works diligently to ensure that all entities receive their fair share of revenue while remaining equitable. The District supports the Peach Project proposal for economic development. The District is grateful for the business community support as we work together to prepare our students to become ready for college, career and obtain employment in our County. She thanked the County for its support.

No Public comments are offered. Chairman Johnson closes the Public Comment portion and returns to the Agenda.

**Lisa Wagner – 2<sup>nd</sup> 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 063-23-02-002 located along Smith’s Crossing and Rock Street. The property is currently split-zoned as General Commercial and Residential and it is undeveloped. The request is to have the entire parcel Zoned General Commercial. The future land use map identifies this area as a development district. The Comprehensive Plan generally states that the Ridgeland Development District is an appropriate location for a full range of land uses of a more urban character including a wide range of residential and business activities. The adjacent parcels are zoned General Commercial, Residential and Rural Preservation. The subject property is also adjacent to the municipal limits of Ridgeland. Adjacent land uses are Commercial and Residential. The subject property is accessed by Smith’s Crossing and Rock Street. Both are State maintained roads. The Planning Commission recommended approval of the General Commercial rezoning. The public hearing on this matter was held at the last meeting.**

**Councilman Sauls moved and Vice-Chairwoman Clark seconds the Motion in favor of 2<sup>nd</sup> Reading of an Ordinance as presented. The Motion passes with all Councilmembers present voting in favor.**

**Lisa Wagner – 1<sup>st</sup> Reading of an Ordinance to adopt *Jasper’s Journey, a Comprehensive Master Plan for Jasper County*, dated 2018, along with the Future Land Use Map and all Appendices, as the required a ten-year update of the County’s Comprehensive Plan, consistent with requirements of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994.**

Denise Grabowsky, AICP, LEED AP, of Symbioscity gave an overview with her slide presentation of *Jasper’s Journey, a Comprehensive Master Plan for Jasper County*. She stated a few tweaks will be made to the Plan based on the suggestions of the Planning Commission and the most recently received Public Surveys. She finished by saying that this matter will be brought before the Planning Commission again, next week. No questions were asked by Council. Ms. Wagner stated that she expects the Planning Commission to favorably pass a Resolution recommending Council approval on Tuesday night, September 11<sup>th</sup>. The public hearing is scheduled for the next Council Meeting on the 17<sup>th</sup>. Copies of the nine Public Comment surveys were passed forward to the Council Members. Council Members discussed and offered minimal suggestions.

Councilman Etheridge moved and Councilman Sauls seconds the Motion to table this matter until after the Planning Commission meeting. The Motion passes with all Council members present voting in favor.

David Tedder and Sandy Steele – 3<sup>rd</sup> Reading and Public Hearing, MCIP – Ridgeland Pellet Company, LLC – an Ordinance authorizing the County to amend the Multi-County Industrial/Business Park Agreement (the Agreement) by and between Jasper County, South Carolina and Hampton County, South Carolina, providing for the creation and maintenance of a multi-county business or industrial park; providing for the allocation of fee-in-lieu of ad valorem tax revenue paid by one or more project sponsors under the agreement; and other related matters.

Mr. Tedder stated the publicly noticed hearing required by law was held at the last Council meeting. This public hearing is a carry-over resulting from another newspaper publication. Although this public hearing is not statutorily required, since it was published in the newspaper, Council should go ahead with the opportunity for public comment. This matter was presented at the last meeting. It is a wood pellet manufacturer, with a five-year FILOT Agreement proposed. New and existing property would have the tax rate reduced to a six percent ratio. It is located in the municipality of the Town of Ridgeland. A companion Ordinance goes with this which authorizes the FILOT Agreement. Ms. Steele congratulates Ridgeland and Jasper for this project which represents a 6.8 million dollar investment, with the creation of twenty-seven jobs. The two items on the Agenda today finalize the FILOT Agreement and MCIP matters. The Ridgeland Pellet Company purchased the existing facility, so there was some machinery and equipment, land and building that were already on the tax rolls at the 10.5% rate. This reduces the assessment from 10.5% to 6%, and then the new investment, which is almost five million dollars, has a 15% special source revenue credit for five years. We have had a public hearing on both placing it in a Multi-Park Agreement with Hampton County that was an Amendment to the existing Agreement with Hampton County; as well as the public hearing regarding the actual FILOT Agreement itself.

Councilman Etheridge moved and Councilman Altizer seconds the Motion in favor of 3<sup>rd</sup> Reading as presented. The Motion passes with all Council members present voting in favor.

David Tedder and Sandy Steele – 3<sup>rd</sup> Reading and Public Hearing, FILOT – Ridgeland Pellet Company, LLC – 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 Ridgeland Pellet Company, LLC; the inclusion of certain property located in Jasper County in the multicounty industrial or business park; the provision of credits against fee-in-lieu of tax payment; and other related matters.

Council brings forward no questions or comments. Chairman Johnson opens the floor for public comments. No Public comments are offered. Chairman Johnson closes the Public Comment portion.

Councilman Etheridge moved and Councilman Altizer seconds the Motion in favor as presented. The Motion passes with all Councilmembers present voting.

David Tedder and Sandy Steele – 3<sup>rd</sup> Reading and Public Hearing, FILOT – NSC Realty, LLC, formerly known as Project Peach – an Ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between NSC Real Estate LLC (the “Company”) and Jasper County, whereby Jasper County will enter into a fee-in-lieu of tax agreement with the Company and providing for payment by the Company of certain fees-in-lieu of *ad valorem* taxes; providing for special source revenue credits in connection with such agreement; providing for special source revenue credits in connection with such

agreement; providing for the location of the Company's property under the Agreement for the establishment of a Multi-County Industrial/Business Park (RiverPort II); and other matter relating thereto.

Ms. Steele said on behalf of the South Carolina Alliance we are excited to bring information to this public hearing on Project Peach as it has been known and is revealed tonight as NSC Realty LLC. Project Peach represents a realty and development company that is interested in absorbing RiverPort that is an Industrial Property that has been limitedly developed over the past few years and really has not caught on largely in part to the recent recession. Project Peach /NCS Realty LLC proposes to take that property and create some vertical development to build 4.6 million square feet of warehouse and distribution space with an investment value of two hundred forty-nine million dollars within the next eight years. What you have before you tonight is the fee-in-lieu of tax agreement for this project as an incentive to make the numbers work so that leases can be secured. It will be a fee-in lieu of tax agreement coupled with a special source revenue credit of fifty-five percent for thirty years.

Kevin Kemp, attorney with Womble Bond Dickinson, Charleston, speaks on behalf of NSC Capital, saying they are a real estate development company originally founded and based in Connecticut. They have an office in Charleston and have been doing a lot of work in South Carolina, and are excited about this project with the potential to develop RiverPort and attract tenants who can bring jobs in this area.

Mr. Tedder notes that inadvertently the public hearing in the paper did not notice for the MCIP Ordinance, so that public hearing will be in our October meeting because of the timing of getting it to the paper. He recommended an amendment to the Ordinance changing the effective date to being upon approval of Multi-County Park Ordinance. He provided a substitution page for the Ordinance which would change the effective date, so all of the ordinances would be contemporaneously synchronized.

Council had no questions or comments. Chairman Johnson opens the floor for public comments. No public comments are offered. Chairman Johnson closes the Public Hearing.

**Councilman Etheridge moved and Councilman Sauls seconds the Motion to amend by substituting the page provided to make the effective date of this Ordinance being upon approval of the Multi-County Industrial Park Ordinance. The Motion passes with all Councilmembers present voting.**

Councilman Etheridge wants the public to know this is a 249 million dollar project. It could be very big for Jasper County and we want to work any way we can to get this project.

**Councilman Etheridge moved and Councilman Sauls seconds the Motion** that this be the third reading of the FILOT ordinance for NSC Realty f/k/a Project Peach, authorizing the execution and fee-in-lieu of taxes by and between NSC Real Estate and Jasper County with the changes that were just made. **The Motion passes with all Councilmembers present voting.**

**Andrew Fulghum – 1<sup>st</sup> Reading - St. Peter's Parish – an Ordinance authorizing St. Peter's Parish/Jasper County Public Facilities Corporation to accept a loan from South Carolina Public Service Authority for the purpose of financing an Industrial building in the Cypress Ridge Industrial Park; providing for conveyance**

of real property to St. Peters Parish/Jasper County Public Facilities Corporation for the location of an industrial building in the Cypress Ridge Industrial park; and other matters relating thereto.

Mr. Fulghum said this Ordinance is for the County's fourth Speculative Building in Cypress Ridge Industrial Park. This Ordinance deals with this County's relationship with the Jasper County Public Facilities Corporation because the Corporation will be the actual entity receiving the loan and the Corporation will be the owner of the land on which the building is being built. Specifically in this Ordinance the County Council authorizes: (1) the corporation to accept the loan from Santee Cooper, identified as the South Carolina Public Service Authority; (2) the Corporation to accept the loan not to exceed 1.3 million dollars; (3) the Jasper County Council Chairman, County Administrator, County Attorney and all other appropriate officers and employees of the County to take any and all necessary action to convey title to the real property which will be later more particularly described in Exhibit "A"; (4) the transfer by the Finance Director from the County to the Corporation in an amount not exceeding \$25,000 to be placed in an account and pledged by the Corporation as debt service reserve fund to secure the loan. It is the same arrangement that Council used on Speculative Building Number 3, which was a huge success.

Ms. Steele gives a brief update on this Spec Building the bid packages will be out tomorrow and due by October the fourth. We hope to have a Contractor in November. The application is in its first stage with Santee Cooper for a low interest loan, and we have applied for three grants. When the information regarding the grants is received, then we will know the actual amount of the loan. We anticipate completion of the building in the spring of 2019, if weather is good and everything stays on track.

Council brings forward no questions or comments. Chairman Johnson opens the floor for public comments. No Public comments are offered. Chairman Johnson closes the Public Comment portion.

**Vice-Chairwoman Clark moved and Councilman Sauls seconds the Motion in favor of 1<sup>st</sup> Reading of the Ordinance as presented. The Motion passes with all Councilmembers present voting.**

Andrew Fulghum – 1<sup>st</sup> Reading by Title Only – MCIP – Project McClellan a/k/a Seabrook Solar, LLC - an Ordinance authorizing and approving (1) the 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 Beaufort County and to include the below referenced property; (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 Beaufort County; and (4) other matters related thereto (Project McClellan a/k/a Seabrook Solar, LLC).

Mr. Fulghum said Jasper County will be receiving one percent of whatever the net revenue is of this particular project.

**Councilman Etheridge moved and Councilman Sauls seconds the Motion in favor of 1<sup>st</sup> Reading by Title Only as presented. The Motion passes with all Councilmembers present voting.**

Ronnie Malphrus gave an update saying the County Treasurer received a check in early August from the State Treasurer's office for our fourth quarter allocation of the County's State Accommodation's

Tax. The amount of the check was considerably lower than what the County normally receives for the fourth quarter. Upon further research and conversation with the State it was noted that in 2017 the County received a supplement in the amount of \$45,000 in addition to our normal fourth quarter A-Tax, which the County has been receiving each year. He was told that we did not receive that supplement this year because according to State Law, when a county as a whole goes over \$400,000 a year in Accommodations Tax Revenue, it no longer receives that supplement. Jasper County does not receive \$400,000 a year; unfortunately the law considers the County as a whole, including the two municipalities. The County does not receive anything that shows the A-Tax received by the municipalities. This was the first year that Jasper has gone over the \$400,000, He understands the County barely went over the mark, and it is possible that if things slow down a little bit and we fall under that mark we would receive the supplement again in the fourth quarter April – June 2019. Mr. Malphrus advises that the County is going to be \$45,000 short of our estimate of what we anticipated receiving. Those funds were allocated in May, and at this point it will be very difficult to get that money back or redo those allocations because some of that money has already been spent. At this point we are going to monitor the situation to see if we receive any allocations in the fourth quarter this year and if not, we will simply have to make up that short fall on next year's allocation cycle. This also has a negative effect on the Chamber of Commerce because they receive what we call the 65% Fund, which is a discretionary fund that the Council decides how it is spent, and the Chamber also receives the 30% Fund as our designated marketing organization. The Chamber is aware of the effect this will have on the Chamber on their 30% Fund, which is their operating money. We will be back to you with recommendations in the future.

Vice-Chairwoman Clark asked that since you do not get any information on the taxes that the municipalities collect and receive from the State, is it possible that since the Mayor is here from Hardeeville, that they would from here on in let the County Finance Director know about these amounts in the future. Mr. Malphrus said that he felt sure that if asked the City would provide that information.

**Andrew Fulghum – Contract with Anenu Insights & Analytics for Business Discovery & Recovery and Administrative Services** This contract proposal has been discussed in two executive sessions, and involves business license services.

**Councilman Etheridge moved and Councilman Sauls seconds the Motion in favor as presented. The Motion passes with all Councilmembers present voting.**

**Andrew Fulghum – Approval of Position Description for Airport Manager.** Council created this position budgetarily and we have crafted a proposed job description using the resources of the existing Airport Manager, Human Resources Director and by reaching out to our neighboring jurisdictions. He asks that the Council consider the job description so the County can ultimately search for an Airport Manager.

**Vice-Chairwoman Clark moved and Councilman Sauls seconds the Motion Approving of Position and the Description for Airport Manager as presented. The Motion passes with all Councilmembers present voting.**

**Ronnie Malphrus** said the County recently received a Grant from a Federal Fund, namely the Land and Water Conservation Fund. It is administered through the State Park and Recreation Department. Part of the grant that we received was to repair the boat ramp at Tuten's Landing which has been completed. The other part of that grant was to complete two Restroom/Picnic facilities, one at the

Robertville Community Center and one at the Grays Community Center. We have put those two Restroom/Picnic facilities out to bid twice now. The first time we bid it out we received two qualified bids, both of which were way over the budget. The second time we put it out to bid we received only one bid and it was not broken down as requested. We consulted with a State PRT Department and let them know we were coming up to the deadline for that grant. They were not comfortable with us moving forward with that second bid, so they have given us permission to once again put it out to bid, and they have removed that pending deadline. We can put that bid out the third time; we may not be able to build as much as anticipated but if not, hopefully we can build more at a later time. Chairman Johnson commended Mr. Malphrus in getting permission to extend the deadline, and asked if the Council Members could receive the bid criteria, maybe they could spread it around and get a little more interest.

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

**Meeting adjourned at 8:15 P.M.**

Respectfully submitted:

Approved:

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Bonnie Lawson  
Acting Clerk to Council

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D. Thomas Johnson, Jr.  
Chairman