



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
TUESDAY
JANUARY 16, 2018
MINUTES**

Officials Present: Chairman D. Thomas Johnson, Councilman Henry Etheridge, Councilwoman Barbara Clark and Councilman L. Martin Sauls, IV

Call to Order

Workshop – Solar Farms (Minutes are separate)

Executive Session

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, Waste Management, SLF III

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) – Pittman vs. Jasper County and Jasper County Legislative Delegation

Return to Open Session: Councilman Sauls moves and Councilman Etheridge seconds the Motion to return to Open Session. The Motion passes with all Councilmembers present voting.

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

Call to Order: Chairman Johnson called the meeting to order at 6:30 P.M.

Action Coming Out of Executive Session: Councilman Sauls moves and Councilwoman Clark seconds the motion of 1st Reading (by Title Only) 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 passes with all Councilmembers present voting.

Chairman Johnson moves and Councilman Etheridge seconds the Motion for 1st Reading (by Title Only) 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. The Motion passes with all Councilmembers present voting.

Attorney Tedder said as a reminder that Council approve the Agenda on Item six correcting the typographical error in Item II D stating 2nd Reading when it should state 3rd Reading of the Ordinance to amend the 2018 - 2019 Jasper County Operating Budget Agreement.

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

Invocation: Councilwoman Clark offered invocation.

Approval of Agenda: Councilman Sauls moves and Councilman Etheridge seconds approval of the Amended Agenda allowing the Clerk to Council at the Direction of the County Attorney to make corrections of typographical errors as needed and to specifically reflect the below stated amendments:

Item II D a correction of the typographical error which states 2nd Reading and it should state 3rd Reading of the Ordinance to amend the 2018 - 2019 Jasper County Operating Budget Agreement, Sheriff's Department;

Removing Item XI B Public Hearing and consideration of 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to apply the Solar Farm Floating Zone to properties bearing Jasper County Tax Map Numbers 050-00-06-002, 050-00-06-003, 059-00-01-002, 059-00-01-003, and portions of properties bearing Jasper County Tax Map Numbers 050-00-06-004 and 059-00-01-033 as shown on the Moffett Solar II Concept Plan, prepared by Thomas & Hutton, dated 10/21/17, located along Grays Highway, Firetower Road and Langfordville Road. The Developer submitted a letter Friday requesting this item be removed from the Agenda at this time.

The Motion to approve the Amended Agenda as stated and with corrections of typographical errors as needed passes with all Councilmembers present voting.

Approval of the Minutes: Councilman Sauls moves and Councilman Etheridge seconds Deferring the approval of Minutes. The Motion passes with all Councilmembers present voting.

Presentations and Proclamations: Chairman Johnson presented a Plaque to Councilman L. Martin Sauls, IV, recognizing the end of his tenure as the Chairman of the County Council.

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.

Pam Crowe's first concern is that Moffet Solar was put on the fast track, and she wants the Council that governs weighing the pros and cons. She is concerned because there are all other kinds of alternatives and other ways to look at solar, but she doesn't see that the

Council is seeking out the cons or talking about them at all except when the public is allowed to speak for three minutes each for a total of thirty minutes a meeting. Ms. Crowe's objections to solar are the loss of land mass used for farms and for homes she believes we are looking at the money, but we need to take time and look at everything.

Dan Brant noted the workshop was very informative and thanked the Council. He stated he had done extensive research and we are at a cross road but we already took a wrong turn. Prayerfully the second time we will make a right choice. Jasper's Comp Plan stated "Keep Jasper Rural". He read tidbits of a Beaufort County newspaper articles then and now about BASF chemical plant wanting to locate there and looking back the end result would have changed everything in Beaufort County because where BASF located in Louisiana became a cancer capital. Had BASF located in Beaufort, South Carolina there would be no "Salt Life" so we would not see "Salt Life" bumper stickers. There is no doubt a big investment would have been made and the very difficult decision to was made to say no; but we applaud the thought, foresight, vision, and courage to say no to the money that was offered. He prays that we and the Council will have that vision so for the generations to "Keep Jasper Rural" that comes from the heart and soul just like "Salt Life". We know we are rural as we smell the dirt freshly tilled earth and the pine trees. He added we are drawn closer to God in our rural community.

Carolyn Brown asked what are they talking about using native grasses and turf fields. I believe those turf fields are sprayed very regularly, am I right or wrong? How are they going to keep the pine trees from growing up in there? Is there going to be a herbicide used under these panels on the vegetation? If it is, what is it? Are you working with DHEC? Where is this power going? Who will use the power? Will our local SCANNA and Palmetto Electric use this power or are we selling it to someone else? Is it going to help us? Chairman Johnson responds that he thinks we can say that DHEC is monitoring this and we will try to get answers to those questions and urged her to speak with Ms. Shaffer to find out what she was referring to. The details of this will be addressed in a separate document called a Development Agreement. Someone will try to answer questions for you. Mr. Kevin Smith of Thomas & Hutton on the first row may be able to answer that for you informally later.

David Etheridge handed papers to the Council. One of his biggest concerns about the solar is the destruction of wildlife habitats, if you take 1500 acres and of that you give 150 acres as a wildlife habitat. Most of the wildlife will move. As Mr. Brant said there are three universal principals that were voted on by the Council in 2014, "Keep Jasper Rural", rural is Gillisonville, Grays and that ten mile stretch of road from Ridgeland; "Develop Municipalities" Hardeeville and Ridgeland are the only two municipalities in Jasper County; and "Development Pays its own way." Solar "Farms" is the biggest misnomer that anyone can talk about. It is an industry now not a farm. He gets what the County is doing fee in lieu of taxes is a big fee the County will get in comparison to agriculture use taxes. As an industry the developer definitely has an advantage. The Port when it comes 1,000 acres will support 5,000 jobs but when the solar comes to Gillisonville 1,000 acres will support four jobs. Look at the destruction to create four jobs. He could go into where the energy is being sent but

won't go into that. He said if Moffett brings back the application for solar in Gillisonville we will be back and we will oppose it.

John Smith said his concern is what was said in the workshop about environment and agriculture. You can look and see we are losing our rural way of life. The second thing is farming, where are all of the wildlife supposed to go? That whole area of Moffett was a Hunting Club all my life. Small and large farmers know they come and eat our crops. There is a whole farming industry on the northern end of the County, people are making a living off of farming, gardening and wildlife and stuff. Please think long and hard before you destroy our way of life.

Jeff Williams owns a little bit of land in Grays and he wants to second the comments of the other speakers. Personally, he is not against alternative energy. He designed and built his house to take advantage of alternative energy for economic reasons. Its not because it is in my back yard because he already has it in his back yard. If we are going to do this then we need to kind of spread the pain around, give the eyesore section of the solar field like in Grays to somewhere else. As far as farming goes, my neighbor planted 100 some acres of soybeans three times this year and never once put a combine in it because of the deer. Where are the deer and the turkeys going to go? The Port when it comes 1,000 acres will support 5,000 jobs but when the solar field comes 1,000 acres will support four jobs. It does not compute, it does not make any sense.

There being no more public comment, Chairman Johnson closes this portion of the meeting.

Resolutions

Lisa Wagner – Resolution regarding the CDBG Grant for Church Road, Stiney Road Improvement (Revised) Councilman Sauls moves and Councilman Etheridge seconds a Motion to allow corrections of typographical errors as needed to the Resolution regarding CDBG Grant Church Road, Stiney Road. Improvements. The Motion passes with all Councilmembers present voting.

Lisa Wagner – Resolution regarding CDBG Grant Drainage Study (Revised) Councilman Sauls moves and Councilman Etheridge seconds a Motion to allow corrections of typographical errors as needed to the Resolution regarding the CDBG Grant Drainage Study for Southern Jasper County. The Motion passes with all Councilmembers present voting.

Ordinances

Lisa Wagner – Public Hearing and consideration of 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to apply the Solar Farm Floating Zone to portions of properties bearing Jasper County Tax Map Numbers 048-00-01-001 and 048-00-

02-005 as shown on the Turkey Hill Solar Concept Plan, prepared by Thomas & Hutton, dated 11/21/17, located along Grays Highway. Ms. Wagner gives greater detail as she designates the location with laser on display board. Attorney Tedder explains in detail the definition of the Development Agreement, and explained how the solar floating zone and the Development Agreement work together with certain standards placed on developer that must be met. It is a transparent process that includes two public zoning hearings along with the other public meeting that we have. Councilwoman Clark read Senator Bill Bowers letter in this matter the gist being he is not opposed to efficient energy, but he is in favor of productive agriculture land not waste land.

Open Floor to the Public

Dr. Tricia Etheridge is very proud of all of the citizens that came tonight and at the meeting in Gillisonville last week it was overwhelming the number of people that came. She said that Ms. Judy Frank is her mother and when solar was coming in the area where her moms' home is she tried to reassure her mom that it wouldn't be that bad, it is quiet, buffers not visible but it is. There are lights at night where darkness used to be. It is glass and concrete and no grass. We picked that community as did all the people here tonight. It is beautiful driving through the wooded roads where you can find calmness, peach and decompress from the daily stress of work before you go home to your families. They say there will be a 100' buffer which would be about the length of this room, but that is not what we see at Moffett we see the metal, glass and solar panels. Not trees and greenery. I know the poverty in this County I see it everyday in my office, but they are beautiful proud people they love their land. If we are going to have solar farms please make the buffers such that they will not be such an eye sore, and allow us to enjoy our beautiful scenery and not destroy what we have. The area that they indicated on the board only part of it is Nimmer sod but they didn't speak about all of the trees that will be cut for the solar. It is a long drive please don't make us look at solar panels all the way from TICO for most of the drive to Gillisonville. As my husband says it will be look like we are driving by Star Wars. Then they said a 200-foot buffer from the residential parcels that do not yet have homes on them. Is that where you want to buy and put your home? If you are not sure how it looks please drive all the way to Possum Corner and see how it looks out there.

Canada Smith, Manager of Turkey Hill Plantation said from his personal standpoint he would concur with a lot of what has been said by the community about the rural atmosphere and what not and he has made it his life-long work and has put blood, sweat and tears into that property for fifteen years. Speaking for Turkey Hill and the Milbank's family we have mixed emotions as well. Going into this we felt that we could do it in a way that was not intrusive or impactful as it was in other places. Maybe go on a case by case basis and a good point was made; maybe the buffers should be bigger and there are adjustments to be made and he does not have all of the answers. Although it may seem that we are on opposite sides of the fence we are committed in doing it in a proper way in as much as we may have control over it and also it should be noted that we have been approached numerous times from different

companies and we didn't feel comfortable to go with the companies but this time we do. The Milbank family have been great stewards of the land and we don't see this as a deviation from that but as an adjustment of the times.

Josh Brant said he grew up overseas in larger cities and one of the things he missed was the country. His Grandfather was in Allendale and his Dad was from Sycamore. His desire growing up was to have a family and have them in the country. He moved my family from Beaufort to Grays, we moved here for the rural area. Like Dr. Etheridge said to drive down 278 and be able to see the trees and the green and not see Star Wars, it is a big deal. I work in Beaufort and Bluffton and I travel the roads and would have to pass two or three solar fields twice every day. He asked the Council to consider one thing, one solar field has been approved and under construction and apparently not complete at this point. Would it be any harm to wait and finish the first solar farm to find out how it is going before beginning another. We don't know what the buffer is going to look like when it is finished, right now it looks terrible. We don't know what the day to day operations will be like or the impact on the land so what is the harm in holding off approving this before we make a really big mistake. His is not just asking for Gillisonville but for the Turkey Hill as well.

Janet Collins, a realtor before the economy tanked, stated she worked behind a steering wheel in many states and assisted Veterans, and met farmers, many country farmers. As a realtor my telephone rings off the hook with callers wanting five to ten acres, just like this gentleman said people are hungry for the country. Would Bluffton had allowed this when Bluffton was developing, I think the answer is no. They were so very, very careful. What we need to do is get back to our roots in America and teach our children what a cornfield is. How to grow a tomato. How to take care of some farm animals. How to raise their own chickens. I promise you that I know God intends for us to have a natural agricultural life. I believe first and foremost it is why he put this on the planet for us. So how much artificial things do we need. This beautiful town can be preserved. We can find another way to raise money. The Port is coming we can hang in there and help each other. Those who have the least entertain themselves the most. Please do not entertain these solar farms we can find other ways to bring money into this town. My phone is ringing off the hook because people are wanting to move out to Ridgeland. There's so much wetland here, land that is unusable and one of the problems is finding affordable housing for workers. If we focus on that I believe we can solve our problems.

Barbara Bartoldus is surprised that so many people don't realize how many solar farms we already have. There is Mr. Glover's solar farm behind Graham Hall on Bees Creek. Mr. Nimmer's large solar farm by the Federal prison. Number three is Grays and Gillisonville and number four will be Turkey Hill. We need to really pay attention and talk to this Council because I fear because the lobbyist in Columbia are banging down doors, especially Dominion who wants to buy SCANNA because they know SCANNA can be turned into silver; that is the plan. Please pay attention, we have four as I speak.

A man (name unintelligible) grew up on Palmetto Bluff before it became ritzy. We recently bought property on Landfordville Road and have spent a considerable amount of money there and will be moving there in a couple of weeks and will bring my small business there. He applauds the land owner's rights to make wise decisions with their property. He won't hold it against Turkey Hill for making that decision. He has however been involved in an environmental process working for DNR for 15 years reviewing many power plant applications. We sit in these meetings and hear about buffer strips and buffer zones 100 feet and it sounds wonderful and grand. A lot of these ideas looks good on paper. I have a degree in fishery management and almost double degree in wildlife management so I know a lot about fisheries and wildlife management. I applaud the applications for a site such as this but to back what Josh mentioned, let's slow down this project that is not complete. Let's see what the buffer strips actually look like. See what the natural grass and the ground tree planting to see what they actually do. They have been tried many places and they do not work. Waiting would help Turkey Hill find out what will work best for buffer zones, better wildlife borders, better wildlife feeding and most importantly the aesthetics portion of it. I don't own a farm. But I am moving my family with four kids to Langfordville Road to grow up in a rural setting. I am going back to my roots and I want my sons and daughter to experience the same thing. The Turkey Hill Tract is a little bit different situation, I think, but however from a 30,000-foot view I think looking at the environmental improvements that can adjoin these particular tracts surely needs to be vetted. There is no reason to put this on a fast tract. If we look closer into this industry the people in this room probably paid for thirty percent of those solar panels anyway and now, we get to pay for the power they produce.

Kate Schaffer said as unusual as it is to speak against many of the valid concerns of rural residents on behalf of the Coastal Conservation League, I don't want to be shy about our support for solar energy because it is a renewable clean source of power for South Carolinians, not being subject to the price spikes that fuels are subject to. The Conservation League has supported the zoning process that created the Jasper Solar Floating Overlay Zone because we believe that it allows the Council and the Planning Commission to properly vet sites and discuss things like land conversion from sod farms to solar farms and other habitats to solar farms because every site is going to have environmental costs and benefits in terms of the land conversion. I just want to restate the support of the local discussion process, much of which is occurring right now, and reiterate that the protections that Jasper County can put in place like the Solar Floating Overlay to protect aggressive land conversion and habitat loss. We made recommendations for the Solar Floating Overlay which includes planting native grasses and maintain some of the ground cover and soil quality on the site so it does not degrade like an industrial property can tend to. Again just wanted to take the difficult middle position to defend the process and the difficulty of the local government to put those in place on a site by site basis and address things like quality and land conversion as well decommissioning what the site will become when the solar farm is complete. We are not shy about our support for solar energy because we believe it is smart power for South Carolinians, not subject to price hikes of natural gas and oil and not contributing to air and water pollutants and by-products that you would typically find with the coal fire, coal ash

plants and natural gas pipeline, or even as we debate off shore drilling off of our coast. So, we believe solar is an important part of the energy portfolio and we will fight for the ability to increase roof top solar and to support legislation that addresses things like what Audubon South Carolina and other groups are looking at in other states to protect habitat quality on sites for solar farms.

Councilwoman states she understands the feelings and compassion of those commenting about preserving where they live as nobody else in here can relate to them better than she can because she went through a similar ordeal. We have been looking through things and considering and learning more about solar energy. We are not against it, maybe this is not the spot or place to continue it. So tonight, I agree with the constituents about solar farm going in their community and what it is doing with the wildlife because I don't want it to run off all of the raccoons and the squirrels. We want to keep Jasper County Rural to a certain extent. We have learned a lot but still have more to learn about solar and I probably will never learn all there is to know about solar but I understand how the people feel about it.

Councilman Sauls said he wants to emphasize a point discussed earlier that there is current legislation in Columbia being debated right now that will completely strip the power that the local government has it relates to zoning and where solar fields will go. That is why this Council in the last two years has put a lot of emphasis and time into researching solar companies, spoken with them many times, created a development agreement in place that we think will circumvent any legislative move made by the South Carolina General Assembly to protect us going forward with our fee in lieu of taxes arrangements, which I think in this case is \$330,000 a year plus a \$2,500 a year business fee. I believe that sixty percent of that goes to the Jasper County School System. The problem is a lot bigger than what is in this room tonight, I can assure you of that. I do agree, being born and raised here in Tarboro, about keeping Jasper rural. Loving the land and experiencing what mother nature has here. Like Ms. Janet said people are realizing that and her phone is ringing off the hook because people want to move here. Hardeeville to Ridgeland is filling up and about the only empty part of Jasper County is north of Ridgeland. He thanked everyone for coming out tonight.

Councilman Etheridge said he is not completely opposed to solar farms. I am opposed to some locations of solar farms. Location means everything to me. I think we made some mistakes on our solar farm package that we did last time that needs to be corrected. One is the distance from a major highway to where the solar panels start. Secondly, I think we need to do something more with the buffers. Next thing location, location, location. Do we need the money in Jasper County, yes, we need a lot of money in Jasper County. I don't want to sell my soul for things that we have been doing without that we can continue to do without, but we needs some things. In our Grays area, to get an ambulance to the end to one of the farthest roads we have there, Cat Branch Road, it takes 20 to 25 minutes. We need EMS and Fire Services, but we don't have the money and we went through the recession just like everybody else. Location is my main concern. Tonight, I am going to vote and we have five more times that this can be turned down. I am going to vote for Turkey Hill Solar Farm for one reason, that is to see if Council and Staff will step up and made some changes to our

Solar Farm Floating Zone. I am challenging all tonight and I have already mentioned some of the things that I thought need to be done and if those things are done, I think it will make a great difference. Turkey Hill Solar is surrounded by their own property, but they are still on a major highway. I think that the buffers and berms need to be farther and screens need to be in place before they ever get started. It is a little bit different in Gillisonville and I know it has been withdrawn, but I know fifty people were sent a letter letting them know about the possible solar farm is coming near them. Thirty people already received their letter. I didn't receive a letter and all the people on that side of Grays Highway did not receive a letter. I don't ever want to see our little historical community and triangle destroyed.

Chairman Johnson said he would like to echo much of what Mr. Etheridge said and empathize the importance of the Development Agreement and the fact that it is an agreement and if they don't agree to it, they don't get to do it. We have multiple additional stages to flesh this out and to give all sides of the idea a full development. I have looked out at people that I consider friends and people that I don't really know but all of whom who have expressed sentiments and life choices very similar to mine. It is really hard paradoxically to explain that I have agreed with almost everything I heard and reached an opposite conclusion from most of the people that have spoken. When I listen to my friend talk about the solar farm and alluded to how many people would love to live there. It gave me cold chills, frankly. If you want to imagine Turkey Hill being Moultrie then that is what she described. Two-acre plots with houses and driveways is an impermeable surface nightmare. The roads to get to the houses are impermeable surfaces creating what they call NPS Non-Point Pollution Surfaces. New residences give me cold chills as a steward of y'all's tax money because that is like adopting a baby. When you get a residence that costs the County, the municipality money. We cannot run a county and provide basic services, much less EMS, Fire, Police on the backs of residences, because residences don't break even. The Strom Thurmond Institute has studied that over and over and it is a fact. Until we diversify our tax base, we are not going to have a modern county government with modern services. If y'all are willing to sacrifice and when you break your leg bite on a bullet because the ambulance is out of gas, well that is one form of rural life that most of us have not adopted. Mr. Brant and I have conferences in the parking lot a lot of times and we agree on almost everything. I wish I was an orator like he was and I could make a living at it. Where we differ is, and I am not talking about chemical pollution, BASF as a concept that Mr. Brant brought up was viewed as an environmental victory in Beaufort County. Not in Jasper County, it was viewed and as a possible job victory because all the people in Jasper County were going to get a job there instead of washing dishes on Hilton Head. If you are a naturalist, environmentalist, lover of the soil, a farmer, if you could envision the BASF site as being twenty acres with a fence around it and a parking lot of versus what's there now in the area, which is wall to wall people, small lots, Kroger, a giant shopping center, impervious services, pollution, garbage. I go and eat a hamburger over there and I go and buy groceries over there sometime and I understand that if it is there you will use it, but that used to be a rural area. I have hunted on that spot. Somebody mentioned Rose Hill, I might have been on the last hunt on Rose Hill. Now it is a subdivision. The fact that it is not in the city limits does not mean anything, because as far as I am concerned it is in the city. I had to move from

Purrysburg to Coosawhatchie because Purrysburg got too crowded. My personal view is like Davy Crocket, if you can see the smoke from your neighbor's chimney then you are too close. It's not realistic. Do I have the power, do we have the power, do you want us to have the power to tell Turkey Hill that you've got to keep raising soybeans for the next hundred years? No, we don't have that power. Again, look at Moultrie it was a 3,000-acre plantation that furnished maybe four jobs. It now is checker boarded into two-acre tracts. I am not preaching but I am starting to feel that way but we've got to diversify our tax base and if you have an 800-acre solar farm that is 800 acres that won't be put to some other use. We can't compel landowners what to do with their property. We can sometimes tell them what they can't do with it. All of life's choices are between better and best or bad and worse, not between good and bad. The taxes income will go from about \$3,000 to \$300,000. That's roughly three mills that y'all can't stand added to your tax bills because you are already groaning because of what is necessary now. Two of my several favorite places in the world are out in Calf Pen and in Gillisonville off of Stock Farm Road. I am not some sort of visitor in this area. I was not born here but I got here in 1975, so I have outlasted a lot of you. We entered a paradox and a dilemma, paying for the County and taxing our people off the land or making some concessions and this seems like one of the less damaging diversifications of the economy than so many others. Maybe because like Mr. Smith my profession is solving problems when I see some of these concerns, I say how do we fix it and not just say no. I don't think I ever talked this long in a Council meeting but I wanted you to understand the dilemma we are in or the choices we are faced with is not a simple one and we have plenty of time to change the directions on put on the breaks if we need to. In the meantime, we have an opportunity that may not just hang around until we just knock on their door and say alright, we are ready now. Then it's sorry, we are in Arizona instead. We hear all of y'all and we are concerned with all of these things. Some people say we made a lot of mistakes on the first one, we were feeling our way is true, but what people don't understand the original forestry owner clear cut that tract. Something that he had a right to do. He had a right to clear cut it. He had a right to replant it and clear cut it again and he had a right not to replant it. He clear cut it and that is unfortunate. If he had left the buffers forested and put up the berms first then you would ride by there and say wonder what they are doing there, it looks like a clearing. Unfortunately, they didn't and it looks like an eye sore. It made your lives unpleasant and made our jobs much more difficult. It made Mr. Canada's presentation much harder. Remember this is two different things and I echo Mr. Etheridge's thought that we have five more chances to stop and turn around.

Mr. Etheridge said we have two other public hearings before they have to stop or go ahead.

Chairman Johnson offers the floor to Kevin Smith, Thomas & Hutton Engineering representing Turkey Hill Solar Farm. Mr. Smith said Mr. Bill Moore apologizes he missed his connecting flights or he would have been here tonight. I have a lot of notes that I have to take back and discuss with our client. They are very good points that doesn't fall on deaf ears. I believe that Mr. Moore, Turkey Hill Solar and Moffett Solar have tried to do the right thing throughout. I don't think that is going to end. I think that if there are changes that are going to be made there are certain some wiggle room to try and get it right. They want to be

good neighbors. They want to be good environmentalist, good stewards. They want to do what is right. I urge Council to give us a chance to work with Staff and the Planning Commission and let us see where we fell short the first time and let us see what we can do to try to make it better moving forward. He thanked everyone for their comments saying it was very eye opening for me and again I have a lot to discuss with our client.

No further comments forthcoming. Chairman Johnson returns to the Agenda.

Councilwoman moves and Councilman Etheridge seconds the motion for first reading and directs staff to go back and work with the Thomas & Hutton Engineering and Turkey Hill to bring it back and there are things that we want in it. The Motion passes with all Councilmembers present voting.

Lisa Wagner – 1st Reading of an Ordinance to amend the Jasper County Zoning Ordinance, Article 12:1, Off Street Parking, so as to change Table 12-1, Minimum Parking Requirements for Sector 53113—Mini-Warehouses. Ms. Wagner said the purpose of this Ordinance is to amend the parking spaces for mini warehouses also known as self-storage units. The current county requirement is one space for every 12 units. The Planning Department received two separate applications for climate control indoor storage. In both cases each of the applicants Engineer has indicate that the parking requirements are overly excessive based on the fact that the use generates a low volume of traffic and the County's ordinance will require the applicant a lot of unnecessary and impervious surface resulting in an extra amount of stormwater runoff. Both project engineers have submitted information from the Institute of Traffic Engineers Parking Generation Manuals for Mini Warehouses that basically state the 1.39 trips are made during average peak hours. While the Zoning Ordinance allows for the Applicant to apply for a variance, Section 12:1.17 restricts the Board of Zoning Appeals from authorizing more than a 25% reduction in the required parking spaces. The Planning Commission reviewed this for at least two months. They looked at other jurisdictions, parking requirements for mini warehouses along with the information from the Institute of Traffic Engineers Parking Generation Manuals for Mini Warehouses, for the land use of mini warehouses and they concur that the mini warehouses do not create a large volume of traffic. The proposed Ordinance would change the required parking space to 1 space per every 12 units to 10 spaces plus 1 per employee and 1 space per 100 storage units. The Planning Commission requests approval of the zoning text amendment.

Councilman Sauls moves and Councilman Etheridge seconds the motion approving the 1st Reading of an Ordinance to amend the Jasper County Zoning Ordinance, Article 12:1, Off Street Parking, so as to change Table 12-1, Minimum Parking Requirements for Sector 53113—Mini-Warehouses. The Motion passes with all Councilmembers present voting.

Ronnie Malphrus – Public Hearing and 3rd Reading of an Ordinance to amend the 2018 Jasper County Operating Budget. This is to allow the Sheriff funds to hire three part time Class 3 Deputies for the Sheriff's Department, basically they will be used for court security and transports and things of that nature. The amount requested is \$68,000. It appears at this time that we have a surplus in the Magistrate fines budget that was passed so the budget amendment would increase the magistrate fine line by \$68,000 and also increase the Sheriff's line item by \$68,000 to pay for three officers and the necessary uniforms as well. We do need a public hearing and a third and final reading as well if you so choose.

Chairman Johnson said the three part time deputies would free up the time of the full-time deputies and the Sheriff promises that this would save the County money by limiting the amount paid for overtime hours.

Open Floor to the Public

David Etheridge said from what I have seen so far with our new Sheriff, he is making the most of what he has. He is doing a good job and he is busting a lot of drug houses and he seems to be looking out for the County more than we experienced prior and I think this request should be approved.

Mr. Brant requested a copy of the annual budget and would like to find out what part of that would be allocated to education, EMS services to the rural community and whether or not we are running a surplus or a deficit. That would give us a better idea of what services can be provided for the rural area. He also said the Sheriff's request should be granted.

Chairman Johnson asked him to speak with Ronnie Malphrus after the meeting and he can give that information to you to the penny.

No further comments forthcoming. Chairman Johnson returns to the Agenda.

Councilman Sauls moves and Councilwoman Clark seconds the motion to approve the 3rd Reading of an Ordinance to amend the 2018 Jasper County Operating Budget hire three part time Class 3 Deputies for the Sheriff's Department in the amount of \$68,000. The Motion passes with all Councilmembers present voting.

Old Business

Lisa Wagner – Staff Recommendation: Preliminary FEMA Flood Maps Ms. Wagner said we have discussed this in the previous meetings. The appeal period began January 3rd and it will end April 3rd. We don't believe there is time to hire someone to produce the data that would need to be done to appeal the map so Attorney Tedder and I recommend to the Council that you give staff some direction to work toward trying to identify funding so that we could have

a map revision done for areas along the Savannah River the scope of approximately 11 mile of the Savannah River, two structures along the bridge of I-95, the State line the Railroad Crossing over the Savannah River; do a limited hydrologic and hydraulic analysis; flood plane mapping; defining the exact flood plain; probably re-delineating it; changing five firm panels and establishing base flood elevation on those five firm panels and a letter of map revision which would include the package preparation submittals to FEMA. We are recommending that we work with AECOM, the engineers who did the FEMA mapping project in Jasper County since they have done some of the work, they could provide the service to us economically. Their estimated cost was \$75,000 to \$85,000 if all detail modeling is performed it would cost an estimated \$125,000. We did get a price from Thomas & Hutton as well.

Chairman Johnson asked Mr. Fulghum and Mr. Tedder if Council has the luxury of forwarding this to the next meeting. Attorney Tedder responds if you are going to appeal we probably don't have the luxury because it would need to be done very quickly and I would need to tell you if I might, that I took the opportunity to use some of my networking with some of the national committees that I worked with who had talked with the former General Council of FEMA, a Professor at George Washington Law School who has a practice in this area. He was very gracious to give me about 45 minutes of his time to walk me through this memo that I prepared for you. We don't have a lot of good options as far as the appeal it would cost us money and it will be very hard. If we go with the map amendment, we do have time in order to go out and try to gain some private partners that would otherwise have to do this on their own, to see if we can work together. As far as the litigation against the agency he did not give me news that you would consider encouraging.

Councilman Etheridge asked is our County is blanket zoned as far as wetland and etcetera, while in some of the counties they did parcels individually. Did anyone find out why our County did not get the same attention that other counties got? Attorney Tedder said he understands Ms. Wagner talked with them; they ran out of money. Part of what has been given to you was the FEMA Guidelines set-up for administering this program; they think it is going to be a forty year process to map the entire Country, and they were directed to best use the money that they could come up with to partner with the States that had the most sophisticated programs to get the most bang for the buck. We would have to bring a lawsuit, but there is some question as far as being able to do that and the legal cost alone to sue the State over the Fed's not funding us could cost as much as doing the study. The Council would like Chairman Johnson to speak with lawyers about a Constitutional challenge.

Chairman Johnson asks that Staff continue exploring the options in this matter.

New Business

Andrew Fulghum – Amendment #1 to Work Authorization #6 for Professional Services with Holt Consulting Company, LLC for Ridgeland-Claude Dean Airport Expansion Project

Andrew Fulghum said this concerns the Ridgeland Airport Claude Dean Expansion Project, and specifically the component that is the land acquisition portion which is governed under Work Authorization Number 6 with Holt Consulting. The Proposed Amendment requests an additional funding for the acquisition for those twenty-two remaining parcels that are in the condemnation process. I am respectfully requesting your consideration approving Amendment Number 1 to Work Authorization Number 6 for professional services between Jasper County and Holt Consulting Company not to exceed \$90,200.

Councilman Etheridge asked for more information on the condemnation. Mr. Fulghum responded you have twenty-two properties that were remaining in what I call the condemnation bucket and the professional staff which includes Holt Consulting, THC which is a sub consultant and Mr. Chris Murphy, an attorney out of Charleston is working with him on those condemnation cases. He anticipates that all of their fees going forward to complete the condemnation on those twenty-two parcels will not exceed \$90,200 again that is Grant money.

Councilwoman Clark moves and Councilman Sauls seconds the motion approving Amendment Number 1 to Work Authorization Number 6 for professional services between Jasper County and Holt Consulting Company not to exceed \$90,200. The Motion passes with all Councilmembers present voting.

Council Members' Comments

Councilman Etheridge said to the general public he is here to listen to anyone.

Councilwoman Clark, Councilman Sauls and Chairman Johnson said Good night.

Administrator's Report is submitted for review Post meeting on January 29th the School District has requested 6:00 P.M. in Chambers. Ms. Frank and Ms. Johnson are working together to be certain everyone is invited.

Adjourn: Councilman Sauls moves and Councilwoman Clark seconds the motion to adjourn. The Motion passes with all Councilmembers present voting.

Meeting adjourned at 8:38 P.M.

Signatures on Following Page

Respectfully submitted:

Bonnie Lawson
Acting Clerk to Council

Approved:

D. Thomas Johnson, Jr.
Chairman