



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
January 22, 2019
MINUTES**

Officials Present: Chairman D. Thomas Johnson, Vice Chairman Henry Etheridge, Councilwoman Barbara Clark, and Councilman Curtis Brantley

Call to Order Chairman Johnson called the meeting to order at 5:00 P.M.

Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to move into Executive Session. The Motion passes with all Councilmembers present voting.

Executive Session begins at approximately 5:01 P.M.

Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to return to Open Session. The Motion passes with all Councilmembers present voting.

Chairman Johnson returns to Open Session at approximately 7:00 P.M.

Chairman Johnson asks for business coming out of executive session. Hearing no response, he returns to the Agenda.

Staff Present: Administrator Andrew Fulghum, Attorney David Tedder, Director of Administrative Services Kim Burgess, Lisa Wagner, Director of Planning and Building, Project Coordinator Danny Lucas, Bonnie Lawson, Acting Clerk to Council, and Coordinator of Planning and Zoning

Pledge of Allegiance Councilman Brantley led the Pledge of Allegiance.

Invocation Councilwoman Clark gave the invocation.

Approval of the Agenda Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to approve the Agenda as presented. The Motion passes with all Councilmembers present voting.

Approval of the Minutes for January 7, 2019 Agenda Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to approve the January 7, 2019 Minutes with any necessary corrections if needed. The Motion passes with all Councilmembers present voting.

Presentations and Proclamations – Community Development Block Grants

Public Hearing - 2019 CDBG Needs Assessment Ms. Jessica Dailey, Community & Economic Development Specialist from the Lowcountry Council of Governments, presents information providing a power point and handout, generally indicating what programs are available through the South Carolina Community Development Block Grant Program, speaking specifically of the three grants Jasper County is presently working on, and advising of the opportunities of future grant possibilities.

John Kemp asked if an upgrade to provide ADA compliance at the Coosawhatchie Step School and Voting Precinct could be covered by a CDBG Grant. Ms. Dailey, Mr. Kemp discussed whether the Fire Station also being used as a Polling Location, as well as other uses might help qualify that upgrade. Chairman Johnson thought that it may qualify for grant application because the station is used by the general public of a low-income community. Ms. Dailey said the County presently has the maximum of three grant applications at present. This could be a consideration after completion of one of the grants.

Mayor Williams, of Hardeeville said that both Hardeeville and Ridgeland would like to see downtown Streetscapes improvements considered as a grant.

Ms. Poinsettia Horton is concerned about several run-down houses in Jasper County. She is asked to contact Ms. Dailey and was given her business card.

No further comment being offered, the public hearing was closed.

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.

Ms. Julie Dempsey introduces herself as the new South Carolina Promise Zone Coordinator.

Ms. Elizabeth Buckner hands forward a five-page Petition signed by Jasper County citizens who are in disagreement with the name change of The Tillman-Wagon Branch Community Center.

Rev. T. E. McClary expresses his concern regarding the renaming of The Tillman-Wagon Branch Community Center which could very likely "tear up this community".

Chairman Johnson closes the Public Comment and returns to the Agenda.

Resolutions

Andrew Fulghum – US Highway 278 Corridor Improvement Project Resolution the County has been pursuing a grant, and the Grantor encouraged the County to make the project larger because the grant has to support County development, but can also take care of some existing drainage issues which are significant the Airport side. He provides a Preliminary Report from Alliance Consulting Engineers showing the project cost to be \$1,875,000, and advised staff is prepared to submit the grant application for the County. The intended funding source for our 40% match will be from the Transportation Sales Tax. A map showing the second portion which is the extension continuing passed Cypress Ridge Business Industrial Park going all the way to the intersection of Log Haul Road and Malphrus Road was provided. Mr. Fulghum mentions that the engineering cost of \$25,000 that the County spent up front for the Preliminary Engineering Report was necessary prior to being able to submit the application for the grant. As a result, the engineering fees will not be covered by the Grant. If the County is successful in receiving the Grant, the County would also have

to pay between 10 and 12.5 percent on top of those earlier expenditures. While we have not bid the project yet, and assuming the engineering is 10% of the budget of \$1,875,000, adding that \$187,500 to the budget and having a 40% match requirement for the grant, all in all it is estimated the County would be spending about \$962,500 of County funds and receiving a grant for the remainder.

Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to authorize the County Administrator to prepare and submit an Economic Development Administration (EDA) Application for the US Highway 278 Corridor Improvements Project and to commit funds in the amount of 40% (\$750,000) of the total project costs of \$1,875,000 to meet the cost share commitment of the Public Works Program. The Motion passes with all Councilmembers present voting.

Ordinances

Andrew Fulghum & Danny Lucas – 1st Reading (By Title Only) of an Ordinance to amend the Jasper County Code of Ordinances, including Article IV, Boards and Commissions of Chapter 2, Administration, Article 8, subsection 8.3, Airport compatibility overlay district (ACOD) of Appendix A, Zoning, and Article 11, Conditional Use Review and Regulations, subsection 11.7.12, Communications and antenna, of Appendix A, Zoning, so as to provide a new Division under Article IV of Chapter 2 providing for the establishment of an updated Airport Commission, provisions regarding the appointment, qualifications, duties and responsibilities of the Commission, adoption of certain standards, rules and regulations, and related matters; and to amend provisions of Appendix A to incorporate necessary clarifications and changes to maintain compliance with Federal Aviation Authority Rules and Regulations, and matters related thereto.

Chairman Johnson said that the Council will have a workshop on this matter prior to the Public Hearing and third reading in this matter.

Councilwoman Clark moved and Vice Chairman Etheridge seconded the motion to approve 1st Reading (By Title Only) of an Ordinance to amend the Jasper County Code of Ordinances, including Article IV, Boards and Commissions of Chapter 2, Administration, Article 8, subsection 8.3, Airport compatibility overlay district (ACOD) of Appendix A, Zoning, and Article 11, Conditional Use Review and Regulations, subsection 11.7.12, Communications and antenna, of Appendix A, Zoning, so as to provide a new Division under Article IV of Chapter 2 providing for the establishment of an updated Airport Commission, provisions regarding the appointment, qualifications, duties and responsibilities of the Commission, adoption of certain standards, rules and regulations, and related matters; and to amend provisions of Appendix A to incorporate necessary clarifications and changes to maintain compliance with Federal Aviation Authority Rules and Regulations, and matters related thereto. The Motion passes with all Councilmembers present voting.

David Tedder – 1st Reading (By Title Only) of an Ordinance to amend Chapter 8, Businesses to adopt a new business licensing ordinance incorporating, as made applicable to counties and specifically Jasper County, the provisions of the 2018 Model Business License Ordinance, including its classification system, and establishing rates for such classification, and matters related thereto.

Councilwoman Clark moved and Vice Chairman Etheridge seconded the motion to approve the 1st Reading (By Title Only) of an Ordinance to amend Chapter 8, Businesses to adopt a new business licensing ordinance incorporating, as made applicable to counties and specifically Jasper County, the provisions of the 2018 Model Business License Ordinance, including its classification system, and establishing rates for such classification, and matters related thereto. The Motion passes with all Councilmembers present voting.

David Tedder – 1st Reading (By Title Only) – Project Sky Multi-County Park – an Ordinance authorizing (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 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.

Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to approve the 1st Reading (By Title Only) – Project Sky Multi-County Park – an Ordinance authorizing (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 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. The Motion passes with all Councilmembers present voting.

Chairman Johnson recused himself prior to presentation of the below matter stating that the Applicant in this matter is a client of his.

Lisa Wagner – 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer properties bearing Jasper County Tax Map Numbers 080-03-00-001; 080-03-00-002; 080-03-00-003; 080-03-00-004; 080-03-00005; 080-03-00-006; 080-03-00-007; 080-03-00-008; 080-03-00-009; 080-03-00-010; 080-03-00-011; 080-03-00-012; 080-03-00-013; 080-03-00-014; 080-03-0015; 08003-00-016; 080-03-00-017; 080-03-00-018; 080-03-00-019; 080-03-00-020; 080-0300-021 from the Mixed Business Zone to the General Commercial Zone on the Jasper County Official Zoning Map.

Vice Chairman Etheridge moved and Councilman Brantley seconds the motion to table this matter until the return of Councilwoman Clark to the meeting. The Motion passes with all Councilmembers present voting. Councilwoman Clark returns and the matter is brought forward.

Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to approve the 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer properties bearing Jasper County Tax Map Numbers 080-03-00-001; 080-03-00-002; 080-03-00-003; 080-03-00-004; 080-03-00005; 080-03-00-006; 080-03-00-007; 080-03-00-008; 080-03-00-009; 080-03-00-010; 080-03-00-011; 080-03-00-012; 080-03-00-013; 080-03-00-014; 080-03-0015; 08003-00-016; 080-03-00-017; 080-03-00-018; 080-03-00-019; 080-03-00-020; 080-0300-021 from the Mixed Business Zone to the General Commercial Zone on the Jasper County Official Zoning Map. The Motion passes with three Councilmembers present voting and Chairman Johnson abstaining.

Vice Chairman turns the meeting over to Chairman Johnson.

Lisa Wagner – 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 063-19-03-006 from the General Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map.

Vice Chairman Etheridge moved and Councilwoman Clark seconded the motion to approve the 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 063-19-03-006 from the General Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map. The Motion passes with all Councilmembers present voting.

Kimberly Burgess - 1st Reading of an Ordinance to Amend the Fiscal Year 18-19 Jasper County Operating Budget to provide \$1,208,000 in additional Funds for Improvement of Fire Protection through the Purchase of Fire Fighting Equipment and Real Property.

Councilwoman Clark moved and Chairman Johnson seconded the motion to approve the 1st Reading of an Ordinance to Amend the Fiscal Year 18-19 Jasper County Operating Budget to provide \$1,208,000 in additional Funds for Improvement of Fire Protection through the Purchase of Fire Fighting Equipment and Real Property.

Vice Councilman Etheridge motioned to table this matter. No second was forthcoming.

Discussion ensued and clarification was received.

The Motion passed approving the 1st Reading of an Ordinance to Amend the Fiscal Year 18-19 Jasper County Operating Budget to provide \$1,208,000 in additional Funds for Improvement of Fire Protection through the Purchase of Fire Fighting Equipment and Real Property, with all Councilmembers present voting in favor.

New Business

Frank Edwards – Request to Expend 911 Funds

Councilwoman Clark moved and Chairman Johnson seconded the motion to Expend 911 Funds as requested. The Motion passes with all Councilmembers present voting.

Frank Edwards – Approval of Consultant for re-write of Emergency Operation Plan (EOP)

Vice Chairman Etheridge moved and Councilman Brantley seconded the motion for approval of Consultant for re-write of Emergency Operation Plan (EOP). The Motion passes with all Councilmembers present voting.

Andrew Fulghum – Staff Recommendation for Future Use of County Property located at 214 Second Avenue (Former Solicitor's Office) - The Administrator requested deferral of the matter until a later meeting. Without objection, the matter was deferred.

Old Business None

Council Members Comments

Councilman Brantley - requests that the Council receive their Agenda in a timely manner so that they may be able to do due diligence so that when they get to the meeting, they will know exactly how to respond intelligently to the requests that are raised with us.

Vice Chairman Etheridge had no comments.

Chairman Johnson - said that he spent additional time with his obsession with the Port and he feels encouraged by the feedback that he is getting from our Legislative Delegation and elsewhere.

Chairman Johnson then asks for a motion to consider business coming out of executive session which was inadvertently overlooked earlier in the meeting regarding the potential lawsuit regarding the Jasper Ocean terminal.

Vice Chairman Etheridge moved and Councilman Brantley seconded the motion to consider business coming out of executive session. The Motion passes with all Councilmembers present voting.

Chairman Johnson asked if there is a motion coming out of executive session to delay filing the lawsuit on the Jasper Ocean Terminal for and until at least the next meeting or some similar motion.

Vice Chairman Etheridge moved and Councilman Brantley seconded the motion coming out of executive session to delay filing the lawsuit on the Jasper Ocean Terminal for and until at least the next meeting. The Motion passes with all Councilmembers present voting.

Councilman Brantley - said that this morning he met with the Southern Lowcounty Regional Board and with your approval he would like to sit on that Board as the official representative of this Council.

Chairman Johnson responded that he would have to make certain that seat is not assigned but other than that he is sure that we would be delighted that you would do so.

Administrator's Report – The Administrator had Finance Director Burgess pass out a reminder about appointments being requested to Boards and Commissions. The Planning Commission Chairman requested new appointments through Ms. Wagner, as did the Board of Zoning Appeals. The Library Board is down three members as well.

Adjourn

Vice Chairman Etheridge motioned and Councilman Brantley seconds the Motion to adjourn. The Motion passes with all Councilmembers present voting.

Meeting adjourned at approximately 8:15 P.M.

Respectfully submitted:



Bonnie Lawson
Acting Clerk to Council

Approved.



D. Thomas Johnson, Jr.
Chairman