



**JASPER COUNTY COUNCIL
HARDEEVILLE CITY HALL COUNCIL CHAMBERS
SEPTEMBER 16, 2019
MINUTES**

Call to Order – Chairman Johnson called the meeting to order at approximately 5:30 P.M in order to enter into Executive Session.

Officials Present: Chairman D. Thomas Johnson, Vice Chairman Henry Etheridge, Councilwoman Barbara B. Clark, Councilman L. Martin Sauls, IV, Councilman Dr. Curtis Brantley and County Treasurer Verna Garvin

Staff Present: Administrator Andrew Fulghum, Acting Clerk to Council Tisha L. Williams, Attorney David Tedder, Director of Planning and Building, Lisa Wagner, Director of Emergency Management Services Chief Frank Edwards

Upon Motion by Councilman Sauls as Vice Chairman Etheridge seconds to enter into Council Executive Session to discuss matters as listed on the posted Agenda, the Motion passes with all Councilmembers present voting in favor.

Executive Session

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) – Able Contracting, Solid Waste Management, Levy Volunteer Fire Department

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) – Jasper Ocean Terminal (JOT), Prospect Update

Councilman Sauls moves and Vice Chairman Etheridge seconds the motion to return to Open Session. The Motion passes with all Councilmembers present voting in favor.

Return to Open Session at approximately 6:30 P.M.

Chairman Johnson asked if there are any matters to be brought forward from Executive Session.

Councilman Sauls moves and Vice Chairman Etheridge seconds the motion to authorize the County Administrator to enter into a Waste Management plan extending up to \$15,000 with neighboring Counties. The Motion passes with all Councilmembers present voting in favor.

Councilman Sauls moved and Vice Chairman Etheridge seconds the Motion to amend the Agenda, under Resolution instead of taking action on the Intergovernmental Agreement as it will be taken under advisement. The Motion passes with all Councilmembers present voting.

Chairman Johnson asks if there are any further matters coming out of executive session. Council Members not bringing any other matters forward, Chairman Johnson returns to the agenda.

Pledge of Allegiance in unison

Invocation given by Councilwoman Clark

Approval of Agenda

Councilman Sauls moved and Vice Chairwoman Clark seconds the Motion to approve the Amended Agenda as previously posted and presented. The Motion passes with all Councilmembers present voting.

Approval of the Minutes – September 2, 2019 and August 28, 2019

Councilman Sauls moved and Councilwoman Clark seconds the Motion to approve the Minutes of September 2, 2019, with any corrections as needed. The Motion passes with all Councilmembers present voting.

Councilman Sauls moved and Councilwoman Clark seconds the Motion to approve the Minutes of August 28, 2019, with any corrections as needed. The Motion passes with all Councilmembers present voting.

Presentations and Proclamations

Presentation of Quarterly Report by Sandy Steele of Southern Carolina Regional Development Alliance Ms. Steele provided the 36 week Quarterly Report beginning in January 2019 stating that there are (54) new Projects coming to the Region which will result in \$184 Million. SafeTech Aerotech will add \$136 Million. Project Peach purchases River Port and is partnered by CSX. Building one is underway as it is geared toward distribution. Ms. Steele advised Council of they can following the progress of RiverPort on line and also thanked the Council for their support at the Safe Tech Ribbon cutting, Regarding External Marketing – In early September SCA traveled upstate to Ontario to setup Aerospace and in November SCA will be meeting with the Swiss Ambassador. Applications are currently being accepted for the Leadership Courses being held at the USCB Campus. A Youtube Channel has been setup for SCA where there will be videos of all upcoming projects and a Fall Drive will be held in November. Palm Trees has been added to Cypress Ridge and the Ribbon cutting will be held soon. Councilman Brantley inquired what was needed to apply to the Leadership Course, Ms. Steele advised Councilman Brantley that she would forward over the Requirement information.

Update Able Contracting Site Chief Henry J. Porter of SC DHEC – Bureau of Land and Waste Management
Mr. Porter advised Council that DHEC has been working closely to make sure the fire and clean up has have been taking place. Mr. Porter advised that the amount of smoke coming from the trash pile has reduced

since July 2019, though an odor will continue until the pile has been completely clear. DHEC and EPA have placed air monitors around areas near the site and have also added a new monitor by Sun City. Photos of material removed from the trash pile have been added to the DHEC website. Mr. Porter advised that DHEC is committed to make sure that all combustible material eliminated and pile at proper level and EPA has worked with BJWSA to dispose of fire suppression water.

Councilman Brantley asked Mr. Porter if DHEC was comfortable with the health hazards being removed, Mr. Porter advised that he was not comfortable yet until all matter have been removed. Air monitoring is not exceeding and hazardous substance or chemicals in smoke. Chairman Johnson inquired of Mr. Porter if there has been any Legislative Action and Mr. Porter advised that the General Assembly amended an Ordinance in 2018 regarding recycling centers such as this one for example, that changed the way material was viewed. Concerning Able Recycling, the permit they had originally expired and they were not given a new permit. The Owner submitted an application for a new permit however it was withdrawn last month, and DHEC has until May 2020 to issue permits.

Open Floor to the Public

Per ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.

Chairman Johnson opens the floor to the Public.

Mr. David Spisso, City of Hardeeville Council

Mr. Spisso requested to Council that there be more Transparency on Agenda items, citing that the September 16, 2019 County Council Agenda listed an *Ordinance by Title Only* but no attachment or information to follow. Mr. Spisso invited the County Council to come to one of Hardeeville's Council Meeting on the 1st and 3rd Mondays to display how they showcase levels of transparency, and hopefully there will be a definition of what "By Title Only" means.

Chairman Johnson closes the floor to the Public.

Resolutions

David Tedder – Resolution Authorizing the County Administrator to Apply for and Execute Documents Regarding FEMA Relief and Related Items

Mr. Tedder advised Council In the last (4) years the County has not had a Resolution like this, and anytime that there is a Mandatory Evacuation it costs the County money. The Resolution would allow for the County Administrator to file proper documents at the appropriate time, and if the Council approves and the funding is available by FEMA, it will be a reimbursement of 75% Federal and 25% Local depending on how many days the order was extended. This resolution also, if allowed would allow the Administrator, if he deems it necessary, to hire a professional Consultant to help navigate through any "bureaucratic mazes" of which had to be completed from time to time. Also if qualified, there will be an additional \$150,000.00 that the County could be eligible to apply for. Mr. Tedder stated that he would be happy to answer any questions, as this is the same type of Resolution that was submitted for Hurricane Matthew and Hurricane Irma.

Councilman Sauls moved and Vice Chairman Etheridge seconds the Motion to approve the Resolution. The Motion passes with all Councilmembers present voting.

David Tedder – Resolution Approving the Intergovernmental Agreement regarding Tax Collection

Chairman Johnson advised that Council removed the action item on the Agenda regarding the Resolution to Approve the Intergovernmental Agreement for Tax Collection. Chairman Johnson asked County Attorney Tedder to provide a brief summary for information purposes.

Mr. Tedder advised that the County has been collecting taxes from several municipalities for a quite an amount of time, which started in 2006 with the City of Hardeeville and Ridgeland. This Intergovernmental Agreement will allow for the County to bill taxes, collect taxes as well as collect delinquent taxes. At this time, there's not a contract in place and one is currently being created, as it takes at least four Offices in the County to Collect Taxes; The Auditor, the Treasurer, The Assessor and The Tax Collector. This Agreement would allow for the error that happened last year where Hardeeville had to correct, to not happen again. The Contract includes dates and procedures for providing information needed to prepare the bills by County. Dates and procedure for information to be provided to the City by County for budgeting purposes, Real property values, Personal/Vehicle/Railroad values, Fee in Lieu Assessments, Dates and procedures for information to be provided to the City for tracking/auditing purposes, Collections, Nulla Bona (Uncollected taxes) and an Agreement on billing and collection of costs. Mr. Tedder advised that he, Mr. Fulghum and County Treasurer Ms. Verna Garvin are happy to answer any comments.

Chairman Johnson opens for the floor for comments

Mr. Spisso asked if there were a group of people that come together to inquire where the numbers for taxes are coming from and Treasurer Verna Garvin answered yes. Chairman Johnson also advised Mr. Spisso that the information also has to come before Council before anything is sent out.

Ordinances

David Tedder – Consideration of 1st Reading by Title only Authorizing a Lease of Property at Ridgeland-Claude Dean Airport and Approval of Template Leases with the Delegation of Authority to the County Administrator to Execute Leases and Related Items.

Mr. Tedder this Ordinance by Title only, which is something the County gets to do and not municipalities, allow for the "ball" to get rolling on matters. The Ordinance is asking for the Council to look at the template Leases offered to people who want to build new hangars at the Airport, so the Airport Commission would be able to come together to inquire if the request meets guidelines. Mr. Tedder advised that he has met extensively with Mr. Danny Lucas and Mr. Richard Dean to make sure that the Leases meet the FAA Guidelines. Mr. Tedder asked Mr. Fulghum if there was anything he was missing and Mr. Fulghum advised that there are (8) Separate Leases associated with different types of Leases that would be in the Ordinance.

Councilman Sauls moved and Vice Chairman Etheridge seconds the Motion. The Motion passes with all Councilmembers present voting.

Lisa Wagner – Presentation of Planning Commission recommendation regarding an Ordinance to amend the Zoning Ordinance of Jasper County so as to add *Family Estate* to Article 6:1 – Table 1, *Permitted Uses and Conditional Uses*; amend Article 11:7, *Industry Specific Conditional Uses Regulations*, so as to add conditions

for Manufactured Housing – Second Unit and Family Estates; and amend Article 12:9, *Manufactured Housing*, so as to add additional requirements related to Manufactured Housing and Relating Items.

Ms. Wagner advised that the Original 1st Reading was done in July 1, 2018 and the Public Hearing was held August 19, 2019. The Ordinance is to amend the age requirements on Manufactured Housing to June 1994 for permitting purposes. There will be a maximum penalty for those who move manufactured houses without proper permitting which includes transporters. A revised Ordinance was presented to the Planning Commission on their September 10, 2019, approximately 10 Citizens were present to voice their concerns and after the Planning Commission review the Ordinance, they felt that the revised Ordinance would help to address the residents concerns. The Planning Commission felt that in light of new information that was presented, they tabled the Ordinance until they could come together again to review and discuss it more. The revised Ordinance was included in Council's packet. The next Planning Commission would meet again October 8, 2019 and the 2nd Reading

Lisa Wagner – Public Hearing and 2nd Reading of an Ordinance to amend Chapter 6, Article IV of the Jasper County Code of Ordinances, Entitled Jasper County Flood Damage Prevention Ordinance so as to adopt certain changes in the National Flood Insurance Program mandated by the Department of Homeland Security – FEMA, National Flood Insurance Program; to increase ease of permitting and enforcement; and to incorporate map, technical and language modernization in the Jasper County Flood Damage Prevention Ordinance.

Ms. Wagner advised that the amendment is very miniscule and only a few changes would need to be made in the Ordinance. The Amendment only changed a few names and a word.

Chairman Johnson asked the public if anyone needed to speak on it. No one spoke for Public Hearing.

Chairman Johnson closes the floor to Public Hearing.

Councilman Sauls moves, Vice Chairman Etheridge seconds. The Motion passes with all present in favor.

New Business

Andrew Fulghum – Presentation of Grant Offer from the SC Dept. of Commerce (SCDOC) for SCDOC Site Enhancement Initiative

The Southern Carolina Alliance applied for a grant through the SC Dept of Commerce Site Enhancement Initiative to make improvements to the Sherwood Tract in the City of Hardeeville. The County pledged \$5,000 match towards that grant and South Carolina pledged \$25,000. The Grant was successful, in which the grant was \$150,000, a letter was received in Council's packet requesting that Council accepts the grant for \$150,000, and authorize the County Attorney and County Administrative to execute Documents necessary to accept the grant.

Councilman Sauls moves, Councilwoman Clark seconds. The Motion passes with all present in favor.

Frank Edwards – Presentation of Grant Offer from FEMA

Chief Edwards updated Council on a Fire grant awarded in the amount of \$138,053.63 to replace the Cardiac monitors and defibrillators on the ambulances.

Councilman Sauls moves, Councilwoman Clark seconds. The Motion passes with all present in favor.

Frank Edwards – Presentation of Bids for Breathing Air Compressor and Fill Station

Chief Edwards advised he received two bids, one from American Air Works for \$27,869.77, the other from Safe Care Systems for \$40,929.85. Chief requested approval to accept the low bid and award the purchase to American Air Works.

Vice Chairman Etheridge moves, Councilman Sauls seconds. The Motion passes with all present in favor.

Andrew Fulghum – Presentation of Supplemental Agreement for Professional Service – Ridgeland-Claude Dean Airport

Mr. Fulghum advised Council the Supplemental Agreement between Hiller Contractors, between the County and Quality Enterprises whose the actual Contractor performing the work reminding Council that last week the County accepted a large grant from the FAA to perform the work – this item simply the amendment to the Contract so that they can do the work for Council. The Contractors have mobilized to complete the work which includes the runway 240 to 1,200 fee and also the parallel taxi system, they have been broken down for three days. Mr. Fulghum requested the Council’s permission to agree to the Supplemental Agreement so that the remaining work can be completed.

Councilman Sauls moves, Vice Chairman Etheridge seconds. The Motion passes with all present in favor.

Old Business

David Tedder – Local Emergency Declaration dated August 2, 2019 – Able Contracting

Mr. Tedder advised that on August 2, 2019 the County Council declared a Local Emergency to deal with the temporary housing of those in the area of the Able Contracting Site. The Declaration stated to remain in effect until it has been determined that the air and water quality no longer posed a danger to public health. Per recent Conference calls and Mr. Porters update tonight, there has been a substantial amount of debris that has been removed from the site and SCDHEC have advised that it would be okay to remove the Declaration as SCDHEC and EPA are working to move residents back into their homes. Mr. Tedder is requesting to terminate the Declaration of Local Emergency adopted by the County Council of August 2, 2019, based upon the determination by South Carolina’s Department of Health and Environmental Control’s that the air quality monitoring at the area shows that there is no longer a threat to the Public Health, such termination to be effective upon the Department’s determination that the drinking water in the area from local wells have been determined as safe for human consumption.

Councilman Sauls moves, Councilwoman Clark seconds. The Motion passes with all present in favor.

Lisa Wagner – Savannah River Flood Study Update

Ms. Wager advised Council that the flood study consist of studying eleven miles upstream along the Savannah River which is approximately 2500ft north of the Pentel Golf Course to the crossing of Dextery Rd. The Flood Study will provide (5) Panels of the firm of elevations. The kick-off Meeting was August 28,

2019 with the contractors AECOM, the schedule is to have (2) bridge structures surveyed and the terrain assessment completed by the end of September to perform hydrologic and hydraulic engineer modeling and determined based on elevation spots by the end of November.

Councilman Sauls moved and Councilman Etheridge seconds the Motion of funding for the Marsh Cove from JCTAC for road improvements in the amount of \$125,000. Motion passes with all Councilmembers present voting.

Council Members' Comments

Councilman Sauls thanked Staff, Senator Davis and Delegation on their assistance with the EPA and DHEC on the Able Site to try and get it cleaned up. Councilman Sauls thanked Sandy Steele of Southern Carolina for coming to provide an update on the Spec building and asked that everyone keep the families of the Ridgeland-Hardeeville High School Students who were involved in a tragic accident in prayer.

Councilwoman Clark stated that her sentiments were the same as Councilman Sauls.

Councilman Brantley attended the 2019 State of the Savannah Port and sadly report the unfavorable news regarding the Jasper Ocean Terminal and he pray that Jasper County will follow through on what was heard.

Vice Chairman Etheridge states that he wrote down (8) meetings he's attended since the last County Council Meeting and (2) of the last meetings he attended was the Port of Address Meeting that he was very disturbed about only to find out that the Jasper Ocean Port was moved to 2040 because Georgia Port Authority decided to build a larger terminal and raise the Bridge. The night before he attended the Delegation meeting and items were split which was very disturbing.

Chairman Johnson stated that when Vice Chairman Etheridge said that it was going to be until 2040, it was based on what someone said however if they want to put off the Port until 2040 they will have a fight on their hands.

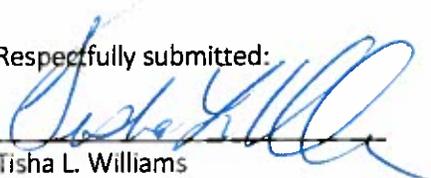
Administrator's Report presented for information.

Adjourn

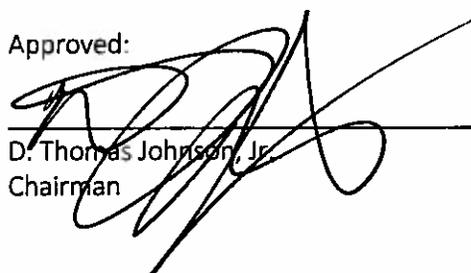
Vice Chairwoman Clark moved and Councilman Sauls seconds the Motion to adjourn. The Motion passes with all Councilmembers present voting.

Meeting adjourned at 7:50 P.M.

Respectfully submitted:


Tisha L. Williams
Acting Clerk to Council

Approved:


D. Thomas Johnson, Jr.
Chairman