



**JASPER COUNTY COUNCIL  
COUNTY COUNCIL CHAMBERS  
OCTOBER 7, 2019  
MINUTES**

Call to Order – Chairman Johnson called the meeting to order at approximately 5:00 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, Judge Albert Kleckley, Chief Coroner Marty Sauls

**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 – Carolina Containers of Beaufort, Solid Waste, Levy Volunteer Fire Department, Phase 3B and 4 of Ridgeland Claude-Dean Airport Expansion, Pittman v Jasper County, Rivers Reach, Tax Collection Agreement**

**Discussion regarding development of security personnel or devices – Information Technology**

**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 to come out of Executive Session.

Return to Open Session at approximately 6:45 P.M.

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

Council Members not bringing any other matters forward, Chairman Johnson returns to the agenda.

Pledge of Allegiance led by Councilman Brantley and all in attendance

Invocation given by Councilman Sauls

Approval of Agenda

Chairman Johnson asked for a motion to approve the Agenda deferring Items VIII, XI-A and XIII-C. 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.

Presentations and Proclamations

**Andrew Fulghum – Proclamation of Lifetime Achievements – Mrs. Emily E. Clyburn**

Mr. Fulghum advised that a Proclamation was prepared in memory of Dr. Emily England Clyburn, wife of the Honorable James E. Clyburn who passed away on September 19, 2019. The Proclamation claims the Jasper County Council wishes to express their sincere and heartfelt condolences on her passing respectfully asking for Council to approve the proclamation.

Councilman Sauls moves as Councilwoman Clark seconds the Motion. The motion passes with all Councilmembers present voting.

**Administration of the Oath of Office - Deputy Coroner – Mr. Randy Blackmon**

Chairman Johnson requested Judge Albert Kleckley to come forward to perform the Oath of Office to Deputy Coroner Mr. Randy Blackmon. Coroner L. Martin Sauls, III thanked the County for their support of the Jasper County Coroner's Office for the years they have been opened. Mr. Sauls stated that Mr. Blackmon have done an excellent job in stepping up the plate to assist in the duties at the coroner's Office and thanked everyone in attendance for their support over the past fifty years. Mr. Sauls thanked each member of Mr. Blackmon's family that was in attendance for the swearing in. Judge Kleckley performed the administration of the oath to Deputy Coroner Mr. Randy Blackmon.

**Andrew Fulghum – Recognition of Arthur Benjamin – 2019 South Carolina Jail Administrator of the Year**

Mr. Fulghum advised Council that the County has always encouraged to employees to work with others throughout the state and Mr. Benjamin has the distinction of being named as the Jail Administrator of the Year by the South Carolina Jail Administration Association and Mr. Fulghum would like to congratulate him and asked Mr. Benjamin to give a few words as to what this means to the him and the County.

Mr. Benjamin advised that he plaque he received was very special to him as it means that he was voted among his peers throughout the SC Detention Center and he's thankful to bring it back to Jasper County who gave him his start from the beginning and advised Council that last year he was the President of the South Carolina State Association helping other young directors coming into the field. Mr. Benjamin thanked

his staff for everything that they have done to help him as well as thanked his wife and children for their support.

### 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.

### Dr. Vashti Washington

Dr. Washington stated that she has a question for the Council, inquiring if there was a Code of Conduct or code of ethics for members that are elected to represent Council adding that as representing the people of Jasper County the community expects a certain type of behavior of those that are representing the county. Dr. Washington is asking for a Code of Conduct or Code of Ethics stating that she believes that it's important that everyone respects one another and to be mindful of the youth that are monitoring the behaviors of all the adult parties, more over to post certain things on social media or say things about others in the community should be unacceptable.

Chairman Johnson closes the floor to the Public.

### Resolutions

#### **David Tedder – Resolution Authorizing the County Administrator to enter into a Memorandum of Agreement with Beaufort County for the purposes of Cost Sharing for Contracting for Consulting Services to Develop a Regional Affordable Housing Trust Fund**

Mr. Tedder advised that this was a subject of a presentation earlier this afternoon in a workshop with Eric Greenway of Beaufort County providing information to the Council. This is a request for an agreement to fund a consultant to assist with a regional housing trust circuit to address the problem with affordable housing / attainable housing for the people that work in the community but can't necessarily afford some of the product out there. Mr. Tedder stated that Council asked Mr. Greenway questions earlier adding that there are multiple parties participating in this besides Beaufort County, Town of Port Royal, City of Hardeeville, Bluffton and Hilton Head as they've asked for participation in the amount of \$10,000 which does not appear in the resolution, therefore if Council deems it there will to approve this resolution to please include the dollar amount adding that he will try to answer any questions Council may have.

Chairman Johnson asked Mr. Tedder if the Resolution was prepared by him and Mr. Tedder advised that it in fact was. Chairman Johnson asked for a motion to approve the Resolution, Councilman Brantley moved

and Councilwoman Clark seconds the motion. The motion passes with all Council members present voting in favor.

**David Tedder – Resolution dissolving the Jasper County Transportation Advisory Committee**

Mr. Tedder advised that back in 2015 the Legislative Delegation decided that in Jasper County and in Beaufort County, rather than having the Transportation Committee be appointed by them, they wanted to that appointments and responsibilities all on the County Council in that the resolution they passed in 2015. As of September 2019, they have a different resolution into taking back the appointments and responsibilities. This Resolution is to request the dissolve of the Jasper County Transportation Advisory Committee since it has no more function and they have been taken over by the Legislative Delegation.

Chairman Johnson asked for a motion, Vice Chairman moved and Councilwoman Clark seconds the motion. The motion passes with all Council members present voting in favor.

Ordinances

**Kim Burgess – Consideration of 1<sup>st</sup> Reading of an Ordinance to provide for the Issuance and Sale of not exceeding \$1,308,200 general Obligation Bonds and not exceeding \$1,308,200 General Obligation Bond anticipation notes of Jasper County, South Carolina for the purposes of Defraying the Costs of Acquiring and Constructing the Marsh Cove Fire Substation and Other public uses; to provide for the payment thereof; and other matters related thereto.**

Ms. Burgess advised Council that she will also send out proposals for interim financing to the local banks physically located within Jasper County in the very near future.

Vice Chairman Etheridge moved and Councilwoman Clark seconds the Motion. The Motion passes with all Councilmembers present voting in favor.

**David Tedder – Preliminary Public Hearing and Consideration of 2<sup>nd</sup> Reading of an Ordinance 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 advised that this is a preliminary Public Hearing as the first Public Hearing will be in November at the 1<sup>st</sup> Council meeting to allow adequate time for it to be publicized in the paper. The airport hangers and the areas out at the Airport are owned by the County, need to have new leases and the leases would need to be approved by County Council and it would need to be approved by Ordinance under statutes. Mr. Danny Lucas have put together a series of lease templates that deals with apparently fourteen different types of leases depending on whether it is commercial, non-commercial, northside or southside services being provided there. Most of the terms are standard with some specific terms listed in the leases. The Ordinance would allow for the County Administrator, if he sees a special need for something to include a specialized term on the lease beyond what has been approved which could be brought back to County Council. There is also a fee schedule date that was recommended to the County Council by Mr. Lucas, Mr. Richard Dean and the Airport Commissioners. Mr. Tedder advised that he is happy to answer any questions Council may have concerning the lease templates.

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

**Frank Edwards – Consideration of 1<sup>st</sup> Reading of an Ordinance to amend the Jasper County Code of Ordinances, Chapter 6, Article III, Division 3, Gate Access Program, being codified as Section 6-80 through 6-85, so as to require a uniform radio controlled electronic gate opener, and related matters.**

Mr. Edwards advised that the Ordinance is in regards to making changes to the 2010 Ordinance Gate Access Program, known as click to enter, adding that they would like to make it retroactive to make Commercial and Residential Properties standard for gate access.

Councilman Brantley asked Mr. Edwards if there was a cost associated with this update. Mr. Edward advised that there would be a cost to the property owner to go back to do the retrofit. Councilman Brantley inquired if Mr. Edwards knew of the amount it would cost and Mr. Edwards advised that he did not know at the time. Chairman Johnson inquired if it will affect electronic gates, Mr. Edwards advised that it will effect any gate that are not staffed with people to allow emergency services access to enter.

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

**Lisa Wagner – Consideration of 3rd 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.**

Councilman Brantley moved and Councilwoman Clark seconds the Motion. The Motion passes with all Councilmembers present voting in favor.

**Lisa Wagner – Consideration of 1<sup>st</sup> 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 063-41-02-050 from the Rural Preservation Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.**

Ms. Wagner advised the subject property consists of three and a half acres and is located at 3949 Bees Creek Rd, the applicant has requested to have the property rezoned from Rural preservation to community commercial. Currently there's a house and a non-residential structure located on the property as many years ago the non-residential structure served as a community store. In 2013 the property was rezoned from residential to rural preservation to allow a small restaurant which was going to be a take-out establishment, although the business did not happen the applicant would like to reestablish the old building as the community store for the community to sell things such as chips, sodas and things of such nature. According to the 2018 Comprehensive plan, it identifies this property area as urban transition which are areas of unincorporated Jasper County that are partially or entirely surrounded by the municipal limits and consideration should be given working with the municipality to annex the property during development or redevelopment of the property. The Planning Commission has recommended approval of usage. Councilman Brantley inquired if Ms. Wagner would give a reason why the rezoning would be denied. Ms.

Wagner advised that if it did not fall under the comp plan, then the rezoning should be denied. In this case, the comp plans states that the County would need to work with the Town of Ridgeland for annexation which is why it's designated as an Urban transition area. Annexation is not an option in this case however.

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

#### New Business

#### **Kim Burgess – Recommendation for Bid Approval for Phase 3B & 4 Bids – Ridgeland Claude-Dean Airport Expansion Project.**

Ms. Burgess requested Council to accept a low bid from Cleland Site Prep Inc. Chairman Johnson interrupted to advised that the County Administrator Mr. Andrew Fulghum has submitted a Recusal statement to recuse himself because his spouse is employed by the company being recommended for contract work with the county. The justification for recusal is disclosure of potential appearance of conflict only, spouse has no involvement in preparing bids for the company. Recommendation bid is being made from consulting engineers hired by the County and not the county staff – signed by Mr. Andrew Fulghum.

Ms. Burgess advised that the bid was in the amount of \$2,834,931.59 and to have the Council Chair to execute the Contract. Chairman Johnson inquired of Ms. Burgess if he would need to sign the awarded contract in which Ms. Burgess advised that was correct.

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

#### **Andrew Fulghum – Presentation of Number 3 to Work Authorization #8 with Holt Construction Company, LLC – Ridgeland Claude-Dean Airport Expansion Project**

Mr. Fulghum advised that Amendment Number 3 concerns some additional work done to relocate the primary and secondary survey control monuments at the airport that were originally designed to be placed in a certain location that would present some conflict due to the decision to relocate the glider strip at the airport. The proposal is not exceed the amount of \$6,600 in which the cost is covered under the granted funded by the FAA 010-2016, respectfully requesting Council's decision to approving the amendment.

#### Old Business

No Old Business

Chairman Johnson opens for the floor for Council member comments

#### Council Members' Comments

Councilman Brantley appreciated the concerns that Dr. Washington raised and the request she made with the Council. Dr. Brantley thanked Dr. Washington

Vice Chairman Etheridge stated that he was on vacation for two weeks and came back for the Chamber of Commerce State of the Area Address and they did a very good job with the presentation.

Councilman Sauls stated that the Commerce will be having it's annual Golf Scholarship Tournament October 30, 2019 at Hilton Head Lakes at the new Clubhouse and all are invited to come out and support for a good cause to generate funds to give a scholarship to Jasper County students.

Councilwoman Clark stated that she attended a few functions as one of her primary concerns she deals a lot with is the School system. Councilwoman Clark advised that she was elated to see the progress that they are making as all four of Jasper County Schools have made gains. She commended Dr. Anderson at the tremendous job that she is doing and that she will continue to support her.

Chairman Johnson advised that he had nothing special to add.

Administrator's Report presented for information.

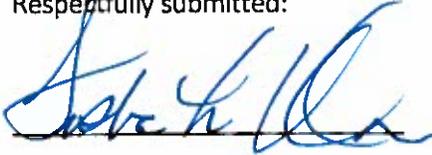
Chairman Johnson inquired from Mr. Fulghum if he received a letter from the Governor regarding Exit 33, Mr. Fulghum advised that he did and that it was part of the packet that Council received tonight.

Adjourn

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

Meeting adjourned at 7:31 P.M.

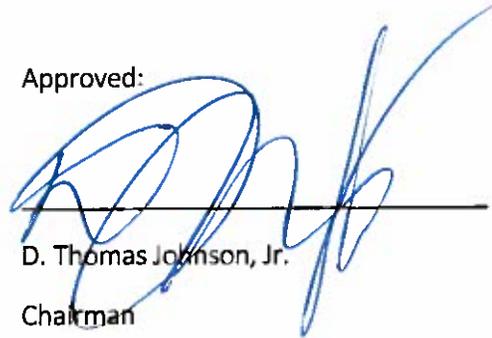
Respectfully submitted:



Tisha L. Williams

Acting Clerk to Council

Approved:



D. Thomas Johnson, Jr.

Chairman