



**JASPER COUNTY COUNCIL
COUNCIL CHAMBERS
Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936
MARCH 16, 2020
MINUTES**

Call to Order – Chairman Etheridge called the meeting to order at approximately 4:33 P.M in order to enter into Executive Session.

Officials Present: Chairman Henry Etheridge, Vice Chairwoman Barbara B. Clark, Councilman D. Thomas Johnson, Councilman L. Martin Sauls, IV, Councilman Dr. Curtis Brantley

Staff Present: County Administrator Andrew Fulghum, Acting Clerk to Council Tisha L. Williams, County Attorney David Tedder, Director of Emergency Management Services Chief Frank Edwards, Administrative Services Director Kimberly Burgess, Public Works and Engineering Services Director Dale Terry, Economic Development Coordinator Danny Lucas

Councilman Johnson moved to add, due to the COVID-19 Medical State of Emergency, an Agenda Item to the Executive Session to receive legal advice and discuss contractual matters, and an Agenda Item under Item VIII – Resolutions and Proclamations, A Resolution/Proclamation regarding COVID-19. Councilman Brantley seconds the motion, all in favor and motion passes.

Upon Motion by Councilman Johnson as Councilman Brantley 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 employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that a hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing –
Emergency Services

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 – Morgan Tract, Spillman Contract, Southern Partners Contract, Cherry Point Fire District, Southern Economic Development Alliance (SCA), COVID-19

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

Vice Chairwoman Clark moves and Councilman Sauls 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 Etheridge asked if there are any matters to be brought forward from Executive Session.

Vice Chairwoman Clark moved to authorize the Administrator to execute on behalf of the County the Spillmand Contract for CAD related computer services in an amount not to exceed \$1,200,000.00 in exclusion of the cost of municipal participation. Councilman Sauls seconds the motion, with all Members voting in favor. Motion passes.

Pledge of Allegiance led by Councilman Sauls and in unison

Invocation given by Vice Chairwoman Clark

Approval of Agenda

Chairman Etheridge requested that Item VIII-B be removed from the Agenda and it will be presented at the next Council Meeting. Chairman Johnson added that before Executive Session, Council added an Emergency Proclamation regarding COVID-19, as it has now been added onto the Agenda, under Item VIII.

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

Approval of the Minutes – March 2, 2020

Councilman Sauls moved to approve the Minutes of March 2, 2020 as Vice Chairwoman Clark seconds the motion. All Members present voting in favor, motion passes to approve the Minutes.

Presentations and Proclamations

Frank Edwards – Presentation of Promotion of Lieutenant Brian Barton

Chief Edwards presented the Promotion of Lieutenant Brian Barton adding that Lieutenant Barton has been with the Organization since 2005 as a full-time employee and he started in 1996 at the Coosawhatchie Fire Station as a volunteer firefighter. Chief Edwards stated that it's his privilege and honor to promote Brian to the rank of Battalion Chief and allowed (Amber) do the pinning. Those in attendance applauded Lieutenant on his Promotion. All of Council congratulated Lieutenant Barton on his promotion as well.

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 Etheridge opens the floor to the Public.

Tim Padgett

Mr. Padgett stated that he is a life-long resident of Jasper County, 11528 Speedway Blvd – for 55 years this year and most of time is spent in the area of Hardeeville, South Carolina adding that he lives there with his father-in-law who's present, sister-in-law and her husband and his wife, his two sons with their two children along with their wives, adding that in total there are (5) homes on that particular piece of property. Mr. Padgett stated that he's recognized over the last six months, there has been an accumulation of water from Exit 5, with those particular ditches being fuller than normal. Mr. Padgett stated that he loves the lowcountry and loves living here, however something must be done about the "poor drainage", adding that he knows Council knows about the issue. Mr. Padgett mentioned that he "took a ride" and noticed that the water was down a "good bit", but he looked at the ditch, adding that he's a Master plumber by trade and knows how water should run, adding that he used to be a fireman and have some skills about pump operations. Mr. Padgett stated that basically the water isn't moving because the ditches are stopped up. Chairman Etheridge advised Mr. Padgett that the County is "working on it" and thanked Mr. Padgett for bring the issue to Council's attention.

Chairman Etheridge closes the floor.

Resolutions

Councilman Johnson stated that he has a Resolution many pages long, said Resolution/Proclamation declaring State of Emergency in all areas of Jasper County Due to the dangers presented by (COVID-19). Council affirms the duties and obligations of responsibilities of the agency Jasper County Emergency Management under Chapter 9 of the Jasper County Code of Ordinances. This State of Emergency shall until March 31, 2020 less rescinded by County Council before that date or the Governor rescinds the stated Declaration of Emergency, provided however if the Governor extend the State Declaration of Emergency beyond March 31, 2020 the County Declaration will remain in effect beyond March 31, 2020 until further action is taken by County Council. Further, due to the need to promote social distancing and potential imposition of self-quarantine requirements, during this State of Emergency, in the event a quorum of Council is unable to be convened physically or telephonically, and immediate action must be taken by Council to protect the health, safety and welfare of the Citizens and others within the County, Pursuant to this Proclamation, the Jasper County Council Chairman is hereby delegated in such situations the Emergency Authority to issue such further Proclamations and Directives concerning Public Safety, Disaster Relief and related matters as may be necessary to implement and carry out

the measures necessitated by this Emergency situation and recovery efforts. Further, in furtherance of the protection of the Public and Employees of Jasper County from exposure and community spread of COVID-19, the County Administrator is authorized to restrict access to County buildings and Employees by the General Public during this State of Emergency, and in Concert with other County Constitutional Officers, to provide required County Services through email, US Mail, or other commercial delivery services, making arrangements as may be necessary and prudent for limited in-person appointments to obtain Permits and Licenses, or otherwise conduct required business with the County not accessible through electronic or other means. The County Administrator is directed to coordinate with County Constitutional Officers to post on the County website and County Office Buildings Contact Information to Departments and Agencies for the General Public to use during this State of Emergency. The County Council affirms the Authority of the Administrator over the Employment and direction of County Employees, and Council supports the Administrator's plans to provide a safe working environment for County Employees. The County Administrator is authorized to contract with such Cleaning and Disinfectant Services as he may deem advisable to assist with cleaning County Offices while the County Offices are closed to the Public. Lastly, County Council desires to reiterate to its Citizens the rapidly developing nature of the COVID-19 Pandemic, and the use of State and Federal Resources for answers to questions and updates, to that end, the South Carolina Department of Health and Environmental Control, (DHEC) www.scdheec.gov/infection are working closely with Federal Partners at the Centers for Disease Control and Prevention (CDC) www.cdc.gov/coronavirus to provide updates and recommendations. Please remember that if you do not have a Primary Care Physician, Medical University of South Carolina (MUSC) Health Virtual Care is offering free Virtual Care Consultations and Screenings to anyone in South Carolina experience COVID-19 when logging into the site: <https://campaigns.muschealth.org/virtual-care/index.html>. No appointment is necessary and this service also covers other conditions such as allergy/hay fever, pink eye, sinus infection, sore throat or the common cold. You can also call 843-261-5940 for more information. This Proclamation goes into effect immediately.

County Attorney Mr. Tedder made an inquiry to Councilman Johnson, if he missed the 2nd to the last paragraph? Councilman Johnson asked everyone to excuse him on that error and added the 2nd to the last paragraph of the Proclamation: County Council urges its Citizens to limit their exposure to others to prevent Community spread, and to that end, strongly recommends avoidance of Public assemblies of more than 50 people, or such lesser number as the Centers for Disease Control or South Carolina Department of Health and Environmental Control Recommends. Finally if any Section of this Resolution/Proclamation is, for any reason, determined to be void or invalid by a Court of Competent Jurisdiction, it shall not affect the validity of any other Section or portion which is not itself void or invalid as he so moves, Vice Chairwoman Clark seconds the motion. Councilman Johnson added that Council is not closing the County or suspending the County business, they are just limiting the access or exposure to others. Chairman Etheridge added that all over South Carolina this is being done and Jasper County is doing it for safety of others. County Employees will be able to enter into the buildings to perform duties, it's just public access will be restricted. Chairman Etheridge inquired of the County Administrator if the information will be posted on the website. Mr. Fulghum stated that it would be posted on the website as well as the doors. Councilman Johnson asked if there will be a drop box for things, Mr. Fulghum stated

that they had not anticipated that aside from email or US Mail. All members present voted in favor of the Resolution/Proclamation. Proclamation went into effect immediately.

Ordinances

David Tedder – 3rd Reading of an Ordinance to Amend Appendix A of the Jasper County Code of Ordinances, Zoning, so as to provide additional requirements and conditions for certain uses, including those included in the North American Industrial Classification System (NAICS) Sector 421930, Recyclable Material; and Sector 56292, Material Recovery Facilities; by including certain additional financial security requirements to provide funds to de-commission, clean-up and close-out facilities, and matters related thereto.

Mr. Tedder stated that this is an Ordinance revision brought on by some gaps Jasper County discovered between the DHEC regulations and County regulations for Recycling Centers. Therefore the County imposed additional standards regarding height, size, security and other matters that hopefully will prevent the County from having the same situation to develop. Mr. Tedder added that there has only been one change made to the Ordinance since the 2nd Reading as the result of the written public comment received from the Coastal Conservation League, who suggested that the County have further standards regarding stormwater. Mr. Tedder has inserted a new paragraph now numbered 15 and 18 prospectively in the area that says in effect that whenever there is new construction expansion or renovation of these facilities, it shall require submission to the Planning Commission. If the Stormwater Management plan using best management practices designed to protect adjacent properties, wetlands, ditches and watersheds. Mr. Tedder added that Mr. Fulghum received a letter of support again today from the Coastal Conservation League which he does not have the print out for it, but they are basically expressing their support for this. Also Charleston wrote an editorial today saying that they support the County's Ordinance and recommend it to other Counties as a way to prevent this from happening to some of the other sites, adding that he is recommending approval as amended. Councilman Sauls moves and Councilman Johnson seconds the motion. All members present voting in favor and motion passes.

Lisa Wagner – Public Hearing and 2nd 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 040-00-02-015 from the Community Commercial Zone to the General Commercial Zone on the Jasper County Official Zoning Map.

Mr. Tedder stated that he's standing in for Ms. Wagner who is out tonight and that this is a zoning request for a parcel of land off Hwy 17 adding that this property previously came forward a couple of years ago for rezoning, adding that this property is the one was precipitated that County working with Hardeeville to create a gateway corridor overlay standard on that road in that particular area so that there would be more aesthetic standards on the property. As noted from the last Council meeting, this is an area on the County Comprehensive plan, an Urban transition area which is urged to be annexed if possible into the Municipal limits. The property owner it was suggested to him to annex, though he stated that he does not want to annex. This went to the Planning Commission and recommended approval of the request. The Planning Commission did again urged that property owner to consider annexation, but did not want to do so. Mr. Tedder stated that he'll answer any questions that he could in Ms. Wagner's absence.

Chairman Etheridge opens the floor to the Public.

Tim Padgett

Mr. Padgett asked if the map could be shown again, and stated that the (5) dwellings behind the listed property belong to him and his family of which he mentioned in the earlier Public Comment. Mr. Padgett added that he is 55 year resident of Jasper County and his father-in-law's property is the largest one adjacent to the property in question, adding that it's 34 acres and that he's lived there 34 years. Mr. Padgett stated that he knows Mr. Bronco Bostick owns that property in question and that he's been a really good neighbor to be a former a Mayor, adding that he doesn't understand what's reason from going from Community Commercial to General Commercial and why is it necessary. Mr. Padgett added that he is a businessman and understands that Mr. Bostick is a businessman as well and that he wants Mr. Bostick to do well. However the concern is about a prior situation in that particular area, where there was a racetrack after it was approved and it had to be shutdown because it too loud and it had to be shut and he doesn't want for this to happen again where Mr. Bostick will be "upside down in his pockets" and have to come back to Council again to "battle him", as he doesn't want to "hear, see, taste or smell anything not good" and hopes that the Council will have his, his family's and other Residents best interest also. Mr. Padgett added his concern over possible future noise and proper business hours adding that he is also a "business man" and he understands proper working hours to respect those around. So if Mr. Bostick or any other person whose coming into that area to do business would consider that, adding that whatever happens tonight at Council that it works in everyone's best interest. Again, adding that he doesn't understand the reasoning for going from one type of Commercial to another – asking what would allow to do or not do anything at the property? Mr. Tedder stated that Ms. Wagner would be better able to do the comparison for Mr. Padgett regarding the different uses than he could, and suggested that Ms. Wager prepare that chart and bring it back to Council to see. Councilman Johnson inquired from Mr. Tedder, as he understood that this is subject to the corridor overlay regardless of what zoning it is? Mr. Tedder answered yes. Councilman Johnson added that will involve setbacks, architecture and landscaping? Mr. Tedder answered that it was correct. Mr. Padgett asked Councilman Johnson, does that mean that Mr. Bostick would need to bring his facilities up to standard today? Councilman Johnson added that unless there is some legitimate grandfather pre-existing clause that applies, it would apply to the Corridor district. Mr. Padgett added that there's some things that could be fixed around it that area as well. Councilman Johnson stated that Mr. Padgett would need to speak with the Building and Zoning dept and that he's unsure all of the references to the chart and that Ms. Wagner would certainly be able to get him that information. Mr. Padgett added that he would like to have that information before Council moves on to another reading or "anything else", adding that he hasn't heard from Mr. Bostick as to what he plans on doing with the property and that it would be a "more gentleman way" of doing things, considering that his father-in-law if one of the largest owners in that area, adding that they don't want anything that would affect them negatively such as a "bar, or gambling joint". Mr. Tedder interjected to advise Council that a copy of the chart is in the Agenda packet due to the next agenda item, regarding table of uses and that he's willing to offer his up, however that is not the end all/be all as you still have to look at the corridor overlay restrictions to see what else that was taken out to be generally understood here. Councilman

Johnson gave Mr. Padget his copy of the Chart table adding that his recollection from 462 was truck maintenance is not a Community Commercial and that he sees Mr. Bostick is in the back and he's quite sure that Mr. Bostick will speak in an opportune time.

Mr. Padget added that hours of operation is another big concern for them as well, and asked if Council understood where he's coming from and what he needs to do next. Chairman Etheridge asked Mr. Bostick to come forward and to give Council an overlay of what his plans are.

Mr. Bronco Bostick

Mr. Bostick stated that 11578 is his property that he purchased 25 years ago and to his understanding it was Commercial at the time and then the Zoning board changed it without notifying the Property Owner, so recently he wanted to put a business there and he went before the Zoning Board, adding that they didn't have problem with it. Mr. Bostick added that the property right in from of him coming from Hardeeville, it was a gas station it was General commercial, the trucking business was General Commercial and he can't understand why his property could not be zoning General Commercial adding that he would like to expand his business put a shop out there on the property and since it's highway use, he believes that it would be smart for the County to make the majority of the properties there General Commercial all the way up to Highway 17 split. Councilman Sauls asked Mr. Bostick what type of shop Mr. Bostick was referring to, and Mr. Bostick stating a mechanic shop for his trucks. Councilman Johnson asked if the shop would be incidental to his trucking business, and Mr. Bostick answered that yes he would like to expand his trucking business. Councilman Johnson asked if he plans to work on public cars etc, Mr. Bostick answered that he doesn't plan to work on cars but trucks and this will be for his trucks. Chairman Etheridge asked if he thought about times of operations, Mr. Bostick answered no he had not. Chairman Etheridge then called Mr. Padget back to the podium. Mr. Padget stated that he would like to add that if Mr. Bostick is not going to be considerate of hours of Operations, then the Council should be, even if it means that he has to call law enforcement to have it quite down, secondly 300 yards on both sides, his father-in-law owns and there's no other shops there. If Council does what Mr. Bostick suggested in regards to making that entire area General Commercial, then he'll go and get his neighbors and come back to Council. Mr. Padget stated that he does not recall the property being purchased 25 years ago because his father-in-law owned his 28 years and he remembers trying to buy Mr. Bostick's property several times ago citing that he has an acre there if he's not mistaken and there's not a lot of room there for big rigs and maybe should consider selling it and buying a bigger piece of property. Vice Chairwoman Clark asked Mr. Padget, if he has any noise or disturbance that disturbs him now, Mr. Padget answered, everyone in a while and it's nothing major and he's never had to go to Mr. Bostick before as he does not live behind his shop.

Chairman Etheridge closes the Floor to Public Hearing

Councilman Johnson move to approve the adoption of the 2nd Reading as Councilman Brantley seconds the motion. All Members present voting in favor. Motion Passes.

Lisa Wagner – 1st Reading of an Ordinance to create within the Zoning Ordinance of Jasper County an additional Residential Zoning District known as Residential, Ridgeland Lakes (RRL), as amended, so as to amend Article 5:1 to establish the purpose of the RRL District; amend Article 6:1 – Table 1, to define the uses allowed within the RRL District; amend Article 7:3, to provide criteria for lot area, yard, setback, and density within the RRL District

Mr. Tedder sitting in for Ms. Wager who is out at the moment, stated that this Ordinance acts as a map amendment in effect of the subdivision “Ridgeland Lakes” that was developed in phases and what occurred was that Phase I and Phase II “got going” and when Phase III came about there was talk about doing a PDD and annex into the Town of Ridgeland, as back then it was during the joint planning time and the PDD was never approved back then. Phase III is halfway complete, and the information in the packet is an explanation of the Zoning uses. Councilman Sauls moved as Councilman Brantley seconds the motion. All members voting in favor. Motion passes.

New Business

Frank Edwards – Request of Approval for Spillman Contract

The Spillman Contract was approved coming out of Executive Session.

Kim Burgess – Presentation of Contract Renewal with Southern Health Partners for Medical Services at Detention Center

Ms. Burgess asked Council to approve the renewal Contract for Southern Health Partners for the Detention Center and to allow the County Administrator to execute the Contract. The Contract was part of a proposal process and one proposal was received which was Southern Health Partners, the initial term is 6 months the base compensation is \$265,000.00 annually with payments of \$22,100.00 each month and the initial would be half of that.

Councilman Sauls moves as Councilman Johnson seconds the motion. Chairman Etheridge asked if it was an 18 month contract? Ms. Burgess answered in effect it is, 6 month and then it will renew for a year. All Members present voting in favor.

Danny Lucas – Presentation of Community Development Block Grant Priorities/Goals

Mr. Lucas asked that the Council accept the CDBG Classifications for the Calendar year 2020, adding that they would like to apply in the spring round an infrastructure project which is drainage based upon a 2018 drainage study that was completed by Thomas and Hutton, stating that it is a \$1.2 Million dollar project in the Hardeeville area of Church Street and US Hwy 321.

Councilman Sauls moves as Councilman Brantley seconds the Motion, All Members present voting in Favor and the Motion passes.

Council Members’ Comments

Councilman Sauls stated that as any people can see the preventive measures not only by the County and both Municipalities as well as the State. Councilman Sauls added that many of the

Chamber of Commerce meetings/functions have been cancelled or postponed and wanted to remind everyone to be cognizant of where you are what you are doing and try to do all you can to refrain from public contact as this is serious with a lot of consequences as a result and that he keeps everyone in his prayers. Councilman Sauls thanked the County and their staff for doing everything they are doing to go the extra mile to accommodate the Citizens.

Councilman Johnson stated that he would like to echo the sentiments of Councilman Sauls, adding that in some ways it's similar to Hurricane Season and that it's a good time for everyone to keep in mind what's important. Councilman Johnson added that most of us in Jasper County can't take a month off and survive economically or know what their pantry would be like in 2 weeks much less a month, adding that we need to have a balancing approach realizing that everyone does not have all the resources and to be cognizant of everyone's needs and means.

Chairman Etheridge stated that he agreed with Mr. Johnson adding that it is a "trying" time and that it's going to show us what we're made of. Chairman Etheridge added that everyone sees the guidelines and he hopes it doesn't offend anyone, and he prays everyone keep them in mind.

Administrator's Report

Mr. Fulghum stated that he didn't have anything to report beyond what they have in their report and he thanked Council for their work in helping the County develop a plan and that the County takes it very serious what Council implements. Also, Mr. Fulghum reminded Council that Chief Edwards brought a "new piece" of fire apparatus in the Courtyard, which Council approved, to see.

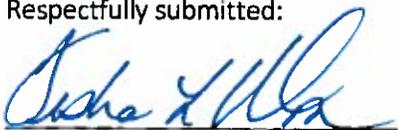
Chairman Etheridge asked Mr. Fulghum to give Mr. Padget and those in attendance an update on the drainage issue, or if Mr. Terry could give an update. Mr. Fulghum added that he has Mr. Terry looking/working on Mr. Wright's property and wanted to know if Mr. Terry could provide an update. Mr. Terry stated that he has some people to come out and look to see where they could "put" the water, as he found the property owner, that owns some land, where the water is supposed to go and that they are working with hm regarding the digging of the ditch and drainage issues.

Adjourn

Councilman Brantley moves as Councilman Johnson seconds the Motion to adjourn. The Motion passes with all Councilmembers present voting in favor. Meeting Adjourned

Meeting adjourned at 7:40 P.M.

Respectfully submitted:



Tisha L. Williams
Acting Clerk to Council

Approved:


Henry Etheridge
Chairman