JASPER COUNTY COUNCIL
VIRTUAL MEETING
JULY 20, 2020
MINUTES

Call to Order – Vice Chairwoman Clark called the meeting to order at approximately 5:01 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, Clerk to Council Wanda Simmons, County Attorney David Tedder, Director of Emergency Management Services Chief Frank Edwards, Administrative Services Director Kimberly Burgess

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 – Airport Manager

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 – Cherry Point Fire District Update, Nickel Plate MCIP, Levy Fire District, Camp Lake Jasper

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), Project Saltwater, Project Seagull, Project Sand Dollar

Councilman Johnson moves and Councilman Sauls seconds the motion to return to enter into **Executive Session**. The Motion passes with all Councilmembers present voting in favor. Chairman Etheridge moves and Councilman Brantley seconds the motion to return to **Open Session**. The Motion passes with all Councilmembers present voting in favor.

Return to Open Session at approximately 6:39 P.M.
Chairman Etheridge requested Vice Chairwoman Clark lead tonight's Meeting. Vice Chairwoman Clark asked if there are any matters to be brought forward from Executive Session.

Councilman Sauls moved to extend the Levy Fired Department Contract for an additional year as Chairman Etheridge seconds the motion, with all Members voting in favor. Motion passes.

Councilman Sauls moved to authorize the County Administrator to provide a salary discussed in Executive Session for Mr. Danny Lucas to serve as Interim Airport Manager upon the retirement of the County's current Airport Manager Mr. Richard Dean as Chairman Etheridge seconds the motion, with all Members voting in favor. Motion passes.

Councilman Sauls moved to authorize the County Administrator with the assistance of the County Attorney and outside Legal Counsel to negotiate a plan of service for an approximately 10- acre track that has been annexed by the City of Hardeeville bearing Tax Parcel Number 067-00-02-003 upon terms and conditions discussed in Executive Session as Chairman Etheridge seconds the motion, with all Members voting in favor. Motion passes.

Councilman Johnson moved to authorize the termination of the last segment of the easement phase at Sgt. Jasper Park as Councilman Sauls seconds the motion, with all Members voting in favor. Motion passes.

Pledge of Allegiance led by Councilman Johnson and in unison

Invocation given by Chairman Etheridge

Approval of Agenda
Chairman Etheridge moves as Councilman Sauls seconds the Motion to approve the Agenda. The Motion passes with all Councilmembers present voting.

Approval of the Minutes – July 6, 2020; July 8, 2020
Chairman Etheridge moved to approve the Minutes of July 6, 2020 and July 8, 2020 as Councilman Brantley seconds the motion. All Members present voting in favor, motion passes to approve the Minutes.

Presentations and Proclamations
Appointment of Clerk to Council
Vice Chairwoman Clark stated that this is something that the Council has been waiting for, for over a year and the County has had Ms. Tisha Williams as the Council's Acting Clerk who has done an excellent job adding that the Council cannot thank her enough because she really carried the Council through the "deep waters" and has brought Council up to the present time. Vice Chairwoman Clark stated that the Council would like to thank her and advised Ms. Williams that once some of the pandemic is behind and out of the way, she will be hearing from the Council at a later date and reiterated her thanks to Ms. Williams and knows that some of the Council members want to say thank you as well. Chairman Etheridge, Councilman Johnson, Councilman Brantley and Councilman Sauls said thank you with Councilman Sauls adding that Ms. Williams has done a marvelous job with Chairman Etheridge and Vice Chairwoman Clark echoing his sentiment. Vice Chairwoman Clark stated that Ms. Wanda Simmons will be appointed at this time and asked for a vote.
Councilman Sauls moved to appoint Wanda Simmons as the Clerk to Chairman Etheridge seconds the motion. Chairman Etheridge, Vice Chairwoman Clark, Councilman Johnson and Councilman Sauls voted in favor, as Councilman Brantley abstained. Motion passes for the appointment of Wanda Simmons.

Presentation of Proclamation for the Gullah Geechee National Appreciation Week
County Attorney read the Presentation of Proclamation to Designate the Week of July 25 thru August 1, 2020 as Gullah-Geechee Nation Week. Vice Chairwoman Clark added that the Proclamation will be delivered to Queen Quet.

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.

Vice Chairwoman Clark opens the floor to the Public.

There were no Public Comments.

Vice Chairwoman Clark closes the floor.

Resolutions

Ordinances

David Tedder – **Consideration of an Emergency Ordinance and a Resolution Affirming Prior Resolutions, to Provide for the Extension and Incorporation by Reference of the Provisions of Prior Emergency Ordinances, Address the Phased-in Opening of County Facilities and Modifications to the County Declaration of a Local Emergency, and Matters Related Thereto, Including a Resolution Affirming Resolutions Regarding**
Mr. Tedder stated that this is a continuation of the Emergency Ordinances that Council enacted back in March that provided for special measures to hold virtual meetings and other matters related to that. Mr. Tedder stated that Governor McMaster last extended the State of Emergency on July 11, 2020 and the County's last Emergency Ordinance was adopted on June 1, 2020 and would expire prior to the Council's next meeting therefore Mr. Tedder has presented to Council their consideration of an Emergency Ordinance continuing the electronic/virtual meetings schedule procedures that Council currently has acknowledging the present Resolutions that the Council has adopted regarding safety measures, policies and procedures regarding the Phased-in reopening and matters to be looked at thereto and reaffirming the Resolutions regarding other safety measures in the County adding that this will last for (60) days ending September 18, 2020 unless Council takes any additional action in between now and then.

Chairman Etheridge moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

David Tedder – **Public Hearing and 2nd Reading of an Ordinance Authorizing Jasper County to enter into a Facilities Use Letter of Agreement with the Lowcountry Country Composite Group of the Civil Air Patrol for the periodic use of a portion of the Ridgeland Claude Dean Airport. This Agreement is to provide office space and use of other areas of the Airport on a periodic basis for a training and other purposes.**
Mr. Tedder stated that there was also a public hearing but not a second reading and so another public hearing was scheduled for tonight. Mr. Tedder that the Civil Air Patrol provides services such as training exercises at the County's Airport in which they have been doing this for years and they asked for a licensed

agreement to formalize the arrangement. The terms of the Agreement is (5) years adding that because the group has training exercises and lessons they would need use of the office space, conference room and restroom from time to time adding that this provides a comfort factor that they need in order to continue to work out at the airport.

Vice Chairwoman Clark opens the floor to the Public.

There were no Public Comments.

Vice Chairwoman Clark closes the floor.

Councilman Sauls moves and Chairman Etheridge seconds the motion. All members present voting in favor and motion passes.

Lisa Wagner – Public Hearing and 2nd Reading of an Ordinance to Amend Article 2, *Applications to Develop or Alter the Use of Land*, Section 2.2, *Application Procedures for Subdivision and Land Development Regulations,* and Section 2.8, *Major Subdivision,* of the Jasper County Land Development Regulations, to add in requirements for Conceptual Plan Review for major subdivisions.

Ms. Wagner stated that this ordinance is to provide a process and include regulations that would allow for conceptual planning review of all major subdivisions. Ms. Wagner stated that currently the Jasper County land development regulations does not include a process for Conceptual plan review as it only provides a request process for preliminary review and final review. The Planning Commission recently received a request for conceptual plan review for a major subdivision and the applicant wanted some guarantee or some assurance that his project was headed in the right direction before investing in a costly engineering plan for subdivision as required for preliminary review. The Planning Commission believes this amendment will streamline their review process for major subdivisions and will give the applicant guidance and direction as they move forward with their engineering design. Ms. Wagner advised Council included with their Staff Report was the Amended Text Section 2.2 of the Jasper County Land Development Regulations for reference and section 2.8 outlines the criteria that the conceptual plan review would be reviewed by the Planning Commission.

Vice Chairwoman Clark opens the floor to the Public.

There were no Public Comments.

Vice Chairwoman Clark closes the floor.

Councilman Johnson moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

David Tedder – 3rd Reading of an Ordinance To Amend the Jasper County Code of Ordinances, Chapter 9, Civil Emergencies, by Providing for the Deletion of Article II, County Disaster Preparedness Agency, codified as Sections 9-26-50, and Reserving that Article for Future Use, Amending Article III, County Emergency Management Agency , codified as Sections 9-51 through

79, to Reflect Certain Changes in Department Names, Providing for the Adoption of a Revised Jasper County Emergency Operations Plan, and Matters Related Thereto

Mr. Tedder stated that the Council had a Public Hearing last time adding this adopts a new Emergency Operation Plan and changes some of the wording to be complementary to some of the County's other Ordinance provisions stating that there have been (4) minor typographical changes since the Second Reading as one of which was capitalization, another was changing the word department agency to department, the third was changing problem to address he imminent threats of Public health welfare and property conservation. Mr. Tedder stated that the changes are not really substantive, just a few tweaks to the language courtesy of the Emergency Services Department.

Councilman Etheridge moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

Kim Burgess – **3rd Reading of an Ordinance to Amend the Personnel Policies and Procedures Manual relating to Disaster Pay and other matters related thereto in accordance with Section 2-67 of the Jasper County Code of Ordinances**

Ms. Burgess stated that this policy changes the County's current disaster pay policy adding that it distinguishes between two situations in a disaster, one would be where there's a State or Local Disaster Declaration and the other being if the County Offices and facilities are actually closed as a result of the disaster. Employees who are determined to be Essential Employees, those who are required to report to work in case of an Emergency would be paid straight time unless they reach their normal overtime threshold at which time they would be paid time and a half. If the County Offices and facilities are closed and they are required to work, they would be paid at time and a half for any hours they would work overtime unless those hours in cases they maybe working but cannot return home for an example they are at a hotel or another County facility or at the Jasper County facility, they would be paid straight time for those hours, because they would not normally be paid for those hours at all and that would be designated as a disaster overtime at a regular hourly rate. Non-Essential Employees if it's a Disaster Declaration would be paid as normal per the non-disaster pay policy unless they work in an Emergency Service capacity and in that case they would be paid time and a half. If the County Offices or facilities are closed and they were not working, they would be paid their straight time pay for their normally scheduled hours even though they may not be worked and their vacation and sick leave would be paid at the non-disaster County policy. Any hours worked in an Emergency Capacity for an example at the Emergency Operations Center, would be paid at time and a half and if they were at a facility where they could not return home and they would not normally be paid for the hours that they were at that facility, they would receive straight time for that. Department Head & Directors would be paid their normal pay rate regardless of the Declaration adding that it would be at the non-disaster policy and if facilities are closed they would be paid at their normal rate and there would not be any overtime or time and a half paid to Department heads.

Council Johnson asked Ms. Burgess if another label or different type of terminology could be added as the terms Essential and Non-Essential sounds bad and misleading. Ms. Burgess stated that she will work on that. Councilman Sauls moves as Councilman Johnson seconds the motion. All members present voting in favor and motion passes.

Kim Burgess – **3rd Reading of an Ordinance to Authorize Jasper County to Enter into a Memorandum of Understanding/Lease Agreement with the Polaris Tech Charter School for the use of the Athletic Facilities at the Airport Field Complex**

Ms. Burgess stated that the County had a previous agreement with Polaris Tech and this is basically an extension of that agreement for another year, adding the term would be from August 1 – May 1, 2021 and it also lays out what both the County's and Polaris Tech's responsibilities and it does provide a monthly payment/maintenance fee of $250 by Polaris Tech to the County for irrigation, electricity, trash and some maintenance of the field being cut and fertilizing the area during the Athletic Season which is from August to May.
Chairman Etheridge moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

New Business

Old Business

Council Members' Comments

Councilman Sauls thanked all County Staff, the County Administrator and all that they are doing to keep the County running efficiently adding that it's definitely still challenging times as he thanked all the Law Enforcement, First Responders , Doctors and Nurses who are on the front lines trying to keep us all safe. Councilman Sauls encouraged everyone to continue to wear their mask and to always be considerate of your loved ones and your neighbors.

Councilman Johnson stated that Councilman Sauls covered it very well and that he echoes what he said.

Councilman Brantley stated that he would be would like to extend the Council's deepest sympathy to the family of the late Representative John Lewis and he prays that everyone would stay safe.

Chairman Etheridge stated that he wanted to say the same thing and that is that everyone be safe, adding that he is quarantined because he was around someone who tested positive for COVID-19 adding that he is fine. Chairman Etheridge stated that he did attend the meeting that the County Council had on July 8, 2020 for Jasper Ocean Terminal and Project Saltwater. Chairman Etheridge also added that he feels that the Council is very fortunate to have the new Clerk to Council, adding that Ms. Simmons comes with 20 years of experience and that Council is expecting her to do great things for the Council.

Vice Chairwoman Clark stated that she's been inside her home since March and that she is not coming out unless for reasons for the doctors and etc adding that everyone should take this virus very serious, especially those who are out and about without a mask.

Administrator's Report
Mr. Fulghum stated that he would like to start with Item Number 2 on his Report which concerns a Jasper County Transportation Committee Project. Mr. Fulghum added that the County has had some really good support from the Transportation Committee lately in funding some County Projects as one of those was the Drainage Study in Southern Hardeeville on Route 17 reminding Council of Mr. Nathaniel Wright's property and his request for some help in that area and he does not want to confuse this with the Southern Hardeeville Drainage Study that Ms. Wagner is working on which is a much larger project and is grant funded. Mr. Fulghum stated that the County received a proposal from a firm regarding the smaller project, to do a study in that area and the Transportation Committee approved the request and the South Carolina

Department of Transportation did approve the funding , however reviewing the document with the head of the C-Fund Program, as sometimes the procurement does not quite match DOT's therefore the County would need to go back to the professional services contract under $50,000 and they requested that the County do a couple other proposals before the County moves forward with that one firm, as the County only received one proposal. Mr. Fulghum stated that the County would need to delay that project and go back to obtain some more proposals, move forward and keep the County Council updated. The number 1 Item on the Report is from the Department of Commerce, adding that the County had a good week and that County received a grant for $286,500 to help build an entry road in the south commerce park, where the Southern Carolina Alliance built the Spec building some years ago adding that this entrance would come off of Route 17. The County's contribution with the grant is $5,000. Mr. Fulghum stated that he received work on a previous grant the County received for the Sherwood Tract for the relocation of the family cemetery there in the amount of $150,000 and they had increased that grant to $400,000 adding that is good news and that he has signed the grant agreement today and wanted update the Council on these two items.

Adjourn

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

Meeting adjourned at 7:29 P.M.

Respectfully submitted:

Tisha L. Williams
Acting Clerk to Council

Approved:

Henry Etheridge
Chairman