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To Participate in Public Comment, please email to comments@jaspercountysc.gov and or mail to Attn: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. To be called for public Comment, please email at the mentioned email address. ***Public Comments must be submitted by Tuesday, January 17, 2023, at 1:00PM.***

To participate in a **Public Hearing**, you may either email to comments@jaspercountysc.gov or request via email or phone by **1:00PM on Tuesday, January 17, 2023**, to speak via telephone at the Virtual Council Meeting.

Instructions may also be found at the Jasper County website www.jaspercountysc.gov

FOR MORE INFORMATION, PLEASE CALL (843) 717-3696



JASPER COUNTY COUNCIL
WORKSHOP AND
COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg.
358 3rd Avenue Ridgeland, SC 29936
Tuesday, January 17, 2023
AGENDA

Workshop 5:00PM

Call Workshop to Order by Chairman Sauls

Clerk's Report of Compliance with the Freedom of Information Act.

In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification

- **Jennifer Tosky - Bailey Park PDD Information**
- **Discussion of all Agenda Items**
- **Update Airport Commission Board**

Council Meeting 6:00PM

I: Call Council Meeting to Order by Chairman Sauls

Clerk's Report of Compliance with the Freedom of Information Act.

In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification

II: Return to Open Session

III. Pledge of Allegiance

IV. Invocation

V. Approval of Agenda:

VI. Approval of the minutes of 10.03.2022; 10.12.2022; 10.17.2022; 10.21.2022

VII. Presentations and Proclamations:

Presentations:

A: Michael Burchstead, Esq. - Presentation regarding Case #2022-CP-27-000-82
Jasper County Election Case

Proclamation:

A: David Tedder - Proclamation recognizing *February 19th - 25th, 2023* as *Childhood Cancer Awareness Week* in Jasper County

- VIII. Open Floor to the Public per Ordinance 08-17-** Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's 6PM start time on the Sign In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to **three (3) minutes per person** and total public input will be limited to **30 minutes**.

*Due to Seating Limitations at the Council Meeting, you may also submit your **Public Comments** via email to comments@jaspercountysc.gov or via US Mail at Attention: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. If you would like to be contacted by phone during Open Floor public comments, please email your name, address and phone number to the email address listed above by 1PM on the date of the meeting.*

IX. Resolutions:

A: Kimberly Burgess - Resolution **#R-2023-02** of Jasper County Council confirming the procurement of construction services to renovate the Coroner's office at 1504 Grays Highway Suites B and C per Cleland Building Solutions estimate #EST269 dated January 4, 2023 pursuant to Section 2-412 of the Jasper County Code of Ordinances to provide for emergency procurements.

X: Ordinances:

A: David Tedder - Public Hearing and **2nd reading** of Ordinance **#O-2022-39** Authorizing Certain Amendments, Modifications and Changes to the County's Code of Ordinances; Authorizing the Execution and Delivery of a Consolidated Fire Service Agreement Between Jasper County, South Carolina and Levy Volunteer Fire Department; Authorizing the Appropriation of County Funds Under the Terms of Such Agreement; and Other Matters Relating Thereto
(1st reading 12.05.2022).

B: Lisa Wagner - Consideration of the **1st reading** of an ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property located at 11421 Gillison Branch Road, bearing Jasper County Tax Map Number 050-00-04-011, consisting of 31.504 acres, from the Rural Preservation Zone to the Resource Extraction Zone on the Jasper County Official Zoning Map.

C: David Tedder - **3rd reading** of Ordinance **#O-2022-38** Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Gopher Hill Holdings, LLC Or Its Assigns (The "Sponsor") And Jasper County, Whereby Jasper County Will Enter Into A Fee-In-Lieu Of Tax Agreement With The

Agenda -

Company And Providing For Payment By The Sponsors Of Certain Fees-In-Lieu Of Ad Valorem Taxes; Providing For Special Source Revenue Credits In Connection With Such Agreement; Authorizing And Approving (1) 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 Hampton County (The "Park") Such Park To Be Geographically Located In Jasper County; (2) The Execution And Delivery Of A Written Park Agreement With Hampton County As To The Requirement Of Payments Of Fee-In-Lieu Of Ad Valorem Taxes With Respect To Park Property And The Sharing Of The Revenues And Expenses Of The Park; And (3) The Distribution Of Revenues From The Park Within Jasper County; And To Authorize The Jasper County Council Chairman Or County Administrator, As Appropriate, To Execute Such Agreements And Other Documents As May Be Necessary And Appropriate To Effect The Fee-In-Lieu Of Tax Transaction And To Provide For Other Matters Relating Thereto.
(1st reading 11.21.2022; 2nd reading 12.05.2022) **(Project Refurb)**

D: David Tedder – Consideration of the 1st reading of an Ordinance To amend the Jasper County Code of Ordinances, including Article IV, *Boards and Commissions* of Chapter 2, *Administration*, so as to amend Division 7, *Jasper County Aeronautics Commission*, including provisions regarding the appointment, qualifications, duties, and responsibilities of the Aeronautics Commission; to amend certain provisions of Chapter 29 to the Jasper County Code of Ordinances, *Aviation*, so as to make clarifications and amendments to certain standards, rules and regulations; and providing for corrections and amendments to the Template Leases approved by County Council pursuant to Ordinance 19- and related matters regarding the aeronautical and other activities at the Ridgeland – Claude Dean Airport, and matters related to the foregoing.

XI. New Business:

A: Kimberly Burgess – M.B. Kahn Capital Planning Agreement Extension

B: Kimberly Burgess - Presentation of M.B. Kahn Construction Work Authorization # 003-Pratt Memorial Library Renovation with a Project Budget of \$3,000,000.00

C: Kimberly Burgess – Change Order #4 in the amount of \$3,000 (credit) for Marsh Cove Fire Station - Billing Correction Decrease.

D: Kimberly Burgess – Change Order #5 for Marsh Cove Fire Station for a cost increase in the amount of \$26364.00.

E: Danny Lucas - Ridgeland – Claude Dean Airport USDA Cooperative Service Agreement.

XII. Old Business:

A: Danny Lucas – Ridgeland – Claude Dean Airport Update

XIII. Council Members Comments

XIV. Administrator's Report

XV. Executive Session SECTION 30-4-70.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(1) 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 – Auditor; Treasurer

(2) 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 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 – Consulting Services Proposal - Heather Rath Consulting

(5) 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 – Prospect Update; Project Refurb

PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM THE EXECUTIVE SESSION.

XVI. Adjourn:

***Council may act on any item appearing on the agenda including items discussed in executive session.**

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the County Council Building at a publicly accessible place and on the county website at least 24 hours prior to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

**Special Accommodations Available Upon Request to Individuals with Disabilities
(843) 717-3696**

AGENDA ITEM:

Workshop

5:00PM

K & R DEVELOPMENT, LLC
PO BOX 1590 · BLUFFTON, SC · 29910
jen@kennethscottbuilders.com · (843) 368-1782

March 16, 2022

Ms. Lisa Wagner, Director
Jasper County Planning & Building
358 Third Avenue, Room 202
PO Box 1659
Ridgeland, SC 29936

Re: Tax Map # 081-00-04-007 (parcels 2A & 2B) - see attached plat

Dear Ms. Wagner:

I hope this letter finds you well. Recently, K & R Development, LLC acquired approximately 27 acres situated between Hwy 170 and Bailey's Road. At present, the property is subdivided into 2 parcels that are zoned CC & R. To allow for growth and development, favorable to the needs of Jasper County and the surrounding properties, K & R seeks a zoning map amendment to rezone the existing parcels from their current zoning to a PDD designation.

Enclosed please find a completed Zoning Map Amendment Application with fee, current Plat, Conceptual Bubble Plan and a "Draft" PDD document for the referenced property.

With your approval, K & R respectfully requests our application be presented to the Jasper County Planning Commission for their consideration and approval at the April 12th, 2022 meeting. Please let me know what else may be needed prior to the meeting.

I look forward to hearing from you and thank you greatly for your help and guidance over the last few months.

Warm regards,



Jennifer R. Tosky, Manager
K & R Development, LLC



Jasper County Planning and Building Services

358 Third Avenue - Post Office Box 1659
Ridgeland, South Carolina 29936
Phone (843) 717-3650 Fax (843) 726-7707

Zoning Map Amendment Application

Owner or Owner-Authorized Applicant:	K & R Development, LLC c/o Jennifer Tosky
Address:	PO Box 1590, Bluffton, SC 29910
Telephone/Fax:	843-368-1782
Email:	jen@kennethscottbuilders.com
Property Address or Physical Location:	Hwy 170 & Bailey's Road (18)
Tax Map Number(s):	081-00-04-007, 081-00-04-008, 081-00-04-009
Gross Acreage:	26.63
Current Zoning:	Community Commercial & Residential
Proposed Zoning:	PDD
Administrative Fee: (\$250 per lot)	\$500
Date Mailed or Hand Delivered:	March 16, 2022
Reason for Request: (attach narrative if necessary)	To allow for a mixed used development in keeping with Jasper County PDD guidelines to promote and encourage responsible development beneficial to the long-term growth of Jasper County. Please see attached narrative.

Signature of Owner or Owner-Authorized Applicant
(Proof of owner-authorization required)

Date

Internal Use Only

Date Received:	
Amount Received:	
Staff Member:	

**PLANNED DEVELOPMENT
DISTRICT
AND
CONCEPT PLAN**

FOR

BAILEY PARK

Jasper County, South Carolina

FOR

K&R Development, LLC

BY

WITMER - JONES – KEEFER, LTD.

23 PROMENADE STREET, SUITE 201

MARCH 28, 2022

rev. September 21, 2022

**PLANNED DEVELOPMENT DISTRICT
AND
CONCEPT PLAN**

BAILEY PARK

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BAILEY PARK
PLANNED DEVELOPMENT DISTRICT
CONCEPT PLAN

SECTION I – SITE DEVELOPMENT

A. THE PROPERTY

The Bailey Park Planned Development District (PDD) is located in Jasper County, South Carolina with frontage on Highway 170. The tract is located approximately 2 miles east of the Hwy 462 intersection and is approximately 26.63 acres. A site location map is provided in Appendix A.

The Bailey Park Tract is currently owned by K&R Development (“Owner”), its successors or assigns. The Owner proposes that this property be zoned and developed as a PDD in accordance with the Jasper County Zoning Ordinance (ZO) and Land Development Regulations (LDR) in effect at the time of submittal to Jasper County. The PDD designation will be utilized to encourage unified planning and development, promote economical and efficient land use, foster a harmonious variety of uses, encourage creative design, and produce a better environment.

The Bailey Park Tract (TM# 081-00-04-007 & 081-00-04-080) is located in Jasper County, South Carolina and is adjacent to Center Point PDD to the North; undeveloped property to the east and west and residential property to the south. The property is currently vacant undeveloped land. The property has approximately 514 linear feet frontage on Highway 170 to the north and approximately 450 linear feet of frontage on Old Bailey’s road to the south. A site survey is included as Appendix B. See section I.C. and Appendix H for detail related to the Conceptual Master Plan.

The property encompasses approximately 26.63 acres which consist of 1.7 acres non-jurisdictional freshwater wetlands, and 24.93 acres of upland. The property does not contain any saltwater marsh critical areas and has no frontage on critical areas. The U.S. Army Corps of Engineers (USACE) wetland verification is approved and the Approval of Jurisdictional Determination letter has been issued contained in Appendix C. Preliminary soil data has been evaluated using available on-site soil data and USDA soils information. On-site soils are Coosaw loamy fine sand (Cs) and Wahee fine sandy loam (Wa). The soils are expected to be acceptable and suitable for the proposed site development. USDA soils data is included as Appendix D.

The 6.63 acres of Bailey Park fronting Highway 170 is currently zoned Community Commercial and the remaining 20 acres to the south is currently zoned Residential. The adjacent land uses to the north is undeveloped Center Point PDD; to the east and west are undeveloped properties and residential property to the south. Bailey Park will be

developed in 2-3 phases over an approximately 5-year period. An aerial overlay map of the PDD and surrounding area is included as Appendix E.

Based on a review of the USGS Jasper quadrangle map and preliminary site surveys, site elevations range from approximately 17-20 feet above mean sea level. A portion of the USGS map is included as Appendix F. The site is currently forested and drainage flows towards the existing wetland along highway 170; towards a drainage ditch at the center of the property and along Old Baileys road.

Based on a review of FEMA Maps, all of the PDD property occurs outside of a designated flood zone areas A portion of FEMA Map Panel Number 410, dated October 18, 2019, is included as Appendix G.

B. PLANNED DEVELOPMENT DISTRICT (PDD) PURPOSE

The PDD overlay zone was adopted by the Jasper County Council to permit and encourage the effective, efficient, and economical development of large tracts of land in Jasper County.

C. CONCEPTUAL MASTER PLAN

Bailey Park is an approximately 26.63 acre tract of land located adjacent to the Center Point PDD in Jasper County, South Carolina. It is anticipated that the property will be developed over a period of 5 years, in accordance with the Concept Plan set forth in this document or amended in the future. The Conceptual Master Plan sets forth the general scope of the development including number of units, phasing, development standards, open space and other issues. In addition to the Conceptual Master Plan, development of the property is controlled by other provisions of the PDD. The Concept Plan is included in Appendix H.

The goal of the development is to produce a high-quality, mixed-use development. The tract of land provides an opportunity for a mix of land uses that will be developed over a period of time. The PDD designation is necessary to accommodate the mix of land uses and provide for the responsible planning and development of the property over time.

The Bailey Park Conceptual Master Plan, prepared by Witmer-Jones-Keefer, shows a general access layout and a mixed-use community showing areas designated for commercial and residential development. Proposed land uses in the residential and commercial development areas are detailed under Section 2 - Land Use Designation and Definitions.

The Bailey Park PDD property is a 26.3-acre property with 6.63 acres community commercial Tract ‘A’ and a 20-acre Residential Tract ‘B’. 1.7 acres of non-jurisdictional wetlands are located within the tracts. Appropriate buffers shall be provided between incompatible land uses. Buffer widths are described in Section II.D.9 of the PDD.

Development is planned to occur in accordance with the Development Schedule presented in Appendix I which is preliminary and subject to change based on market conditions.

The proposed Concept Plan will maintain open space requirements as per Section II, D.8 of this document. The open space and amenities will be owned and maintained in the manner approved with appropriate covenants and restrictions by the developer, homeowner’s association, or other legally designated entity. Property deeded to a governmental entity becomes the maintenance responsibility of that entity.

Activities along any external property lines of the PDD shall conform to the setback, buffer, screening as described in Section II.D.9(b) of the PDD. Height requirements shall conform to the latest adopted version of the Jasper County Zoning Ordinance (JCZO).

The Concept Plan constitutes a request for a waiver from the current Jasper County ZO where differences occur. However, activities in the PDD shall conform to all other Jasper County Ordinances and Regulations where differences do not occur. The Concept Plan may introduce land uses that do not exist in the current Zoning Ordinance. Based on the PDD, Bailey Park requests deviations from the following Zoning Ordinance provisions:

General Requirement	Description of Proposal
No exceptions	

The provisions of the Concept Plan shall apply to development in the Bailey Park PDD. In the event of a conflict, the hierarchy of documents is the following: 1) PDD and Concept Plan; 2) Jasper County ZO in effect at the time of Final Adoption of the Bailey Park PDD.

D. ENVIRONMENTAL PROTECTION

Environmental protection is a priority for the Applicant. As part of the development process, Bailey Park developers will meet or exceed the stormwater management requirements of the Jasper County Stormwater Regulations and the South Carolina Department of Health's Office of Ocean and Coastal Resource Management (OCRM).

Bailey Park developers will prepare stormwater management plans for the tracts of land as they are developed. The plan will address the hydrological characteristics of the site as well as predevelopment conditions and post-development stormwater management facilities for flood control and sediment reduction.

Freshwater wetlands on the property are typical of the South Carolina Lowcountry. Approximately 15.6 percent of the site is non-jurisdictional freshwater wetlands. A plat indicating the freshwater wetlands on the property is included in Appendix C.

On-site wetland impacts resulting from the development of the Bailey Park PDD will be permitted jointly through the USACE and OCRM. All impact mitigation will be accomplished through a combination of buffers and preservation of jurisdictional wetlands located on the property and will meet or exceed state and/or federal standards.

E. CULTURAL AND HISTORICAL RESOURCES

As part of the comprehensive study of the property, a preliminary assessment of the cultural and historical resources on the site will be prepared prior to submittal of a development plan for each of the tracts. As part of Master Plan Approval and prior to final design, the South Carolina Department of Archives and History will be contacted by the Owner to request a review of the Department's cultural resource inventory database. The Owner will follow the direction and procedures of the Department of Archives and History as appropriate and if necessary, will address all cultural resource issues with the State Historic Preservation Office. A final determination will be provided as part of Master Plan Approval.

F. WATER AND SEWER SERVICE

Water and sewer service will be provided to Bailey Park by Beaufort Jasper Water & Sewer Authority (BJWSA). Currently, BJWSA has water 8" water main located within the Old Bailey's Road and 30" water main located within the North Okatie Highway (170) right of way and 8" force main sewer lines located within the North Okatie Highway (170) right of way, and gravity sewer within the Okatie Park Circle West right of way. Detailed planning for the water and sewer systems will commence at the time of PDD approval by Jasper County. Preliminary discussions with BJWSA indicate a willingness to serve the property and to increase their capacity to serve developments in the vicinity. BJWSA has agreed to operate and maintain the water and sewer systems within their service area upon completion by the developer and acceptance by the Authority.

G. UTILITY SERVICE

Bailey Park is within the service territory of Dominion Energy for electrical power. The Owner will coordinate with Dominion Energy regarding planning for the PDD.

Hargray is able to provide telephone service to Bailey Park. The Owner will coordinate with Hargray regarding planning for the PDD.

Other utility services may be provided by legally established entities at the discretion of the Owner, provided such are in accordance with applicable franchising ordinances and licensing requirements of Jasper County.

H. ROADWAYS AND TRAFFIC

Bailey Park has frontage on SC Highway 170 to the north and Old Bailey's Road to the south. Establishing safe and reasonable ingress and egress for the property is a priority for the Owner, South Carolina Department of Transportation (SCDOT), and Jasper County. Full access shall be defined as access which allows any and all possible vehicular traffic movements into and out of the development. Limited access shall be defined as access which limits the movement of traffic into and out of a development (i.e., right-in, right-out). Any proposed roadway improvements shall be subject to approval by Jasper County and, where appropriate, the SCDOT.

The Concept Plan provides locations for potential internal access points for future interconnectivity.

As part of the access management plan for the project, the Owner will work with SCDOT and Jasper County to obtain one access point from Highway 170 and one access off Old Bailey's Road. All proposed access points shall be accompanied by a traffic analysis that demonstrates consistency with the Jasper County and SCDOT Highway Management

Access Plans and design criteria. These accesses may be relocated to accommodate traffic modeling information, site specific characteristics and adjacent land uses as part of the access management plan.

Primary access to the interior of the development will be via the access point off Highway 170 and access off Old Bailey's Road as shown on the Conceptual Master Plan. Connectivity between the various development parcels and these access locations will be planned and incorporated into the site plans for the individual developments as they are submitted to Jasper County for review. Traffic circulation and access systems will be developed to maximize the public utility of full access points to Highway 170 from Bailey Park and also from adjacent and opposite parcels to the extent practical. Interconnectivity between different proposed uses within the PDD will be promoted in order to encourage efficient traffic flow within the PDD.

Roads indicated on the Concept Plan are subject to modification at the time of Development Plan approval based upon specific soil conditions, environmental concerns, physical constraints and design parameters.

The access point locations described above and shown on the Concept Plan are preliminary and may be relocated during Master Plan approval and final development plans. Planning, design, and construction of these accesses as well as all roadways and transportation elements shall be in accordance with SCDOT standards, Jasper County Ordinances, traffic impact assessment, PDD standards, or other engineering standards reasonably acceptable to the County engineer. Typical roadway sections will be submitted for review at the Master Plan approval stage.

Potential access across the jurisdictional wetlands surrounding adjacent tracts may be allowed if approved by OCRM and the USACE. Road linkages to adjacent properties may include impacts to jurisdictional wetlands.

Notwithstanding other provisions of this document and subject to approval by Jasper County, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. Protection and preservation of significant trees will be encouraged. Reductions of roadway and right-of-way widths may not occur unless specifically authorized by the County.

I. PARKING

The total number of required parking spaces for all land uses allowed herein shall conform to the Jasper County ZO in effect at the time of Final Adoption of the Bailey Park PDD. Modulation of those standards may be allowed provided the applicant furnishes actual documentation that the new proposed standard meets the parking needs of the proposed land use and the County agrees at Master Plan approval.

J. STORMWATER MANAGEMENT

Bailey Park PDD shall conform to the Jasper County ZO and Stormwater Management Ordinance in effect at the time of Master Plan approval for the Bailey Park PDD as well as all other applicable state and federal requirements. Sufficient stormwater best management practices will be employed in the development of the PDD to ensure runoff leaving the site does not degrade water quality within surrounding wetlands and the receiving waterways.

SECTION II – LAND USE

A. INTRODUCTION AND NARRATIVE

The Bailey Park PDD has a total area of 26.63 acres, including 1.7 acres of non-jurisdictional freshwater wetlands, as indicated on the Conceptual Master Plan.

The Concept Plan consists of the following land use areas:

List types of proposed uses:

Of the approximately 24.93 upland acres, approximately 6 upland acres are intended for Commercial/ mixed use, approximately 19.445 upland acres are intended for residential uses and 10% (2.5%) upland acres are intended for community space use and stormwater management.

The majority of the commercial mixed-use acres are intended for retail and office use. Of the residential units, initial plans call for multi-family, townhouse and single-family homes.

The land use areas indicated on the Concept Plan are not intended to be rigid exact boundary lines for future land use and improvements. The Concept Plan for the Bailey Park PDD shall maintain flexibility to accommodate specific soil conditions, environmental concerns, pedestrian friendly requirements, physical constraints, market conditions and design parameters and as such, the exact location of boundary lines between land uses and their subsequent location and size indicated within the planning area shall be subject to change at the time Development Permit Plan(s) are submitted for development; provided, however, that maximum densities and other conditions of this PDD between the Owner and Jasper County, South Carolina, will be strictly adhered to, unless adjustment is requested by the Owner and approved by the County. The boundaries of the PDD may be modified to include adjacent acreage subject to the approval of Jasper County by appropriate petition/application to the County to amend the PDD.

B. ALLOWED LAND USES

The following land uses shall be permitted in the Bailey Park PDD. The purpose of this portion of the PDD document is to state which land uses shall be allowed within the Bailey Park PDD; however, by allowing these uses this does not obligate the developer to provide the uses or facilities stated herein.

The following land uses and definitions shall be permitted in the Bailey Park PDD:

List types of proposed uses:

Tract A : Community Commercial

Tract B: Multi Family Residential; Single Family attached and Single Family Detached Residential

Any easement that occurs within the property shall have the same land uses as any of the adjacent land uses. Any restrictions shall be based on the legal definition of the easement.

Design Regulations and Performance Standards will be established for each area at the time of the Master Plan approval. Unless otherwise agreed at Master Plan approval or in this PDD, the standard for uses and design criteria from the Jasper County ZO will apply.

C. ALLOWED DENSITY

Of the approximately 24.93 upland acres, the Concept Plan for the Bailey Park PDD consists of approximately 6.63 acres of Community Commercial – Tract A, approximately 20 acres of Residential uses. The Concept Plan may be modified at Master Plan approval, taking into consideration the potential need to change the exact locations of the proposed use(s) in order to address traffic considerations and in response to market conditions.

The overall Commercial use density within Tract A for the PDD shall not exceed 12,000 square feet/upland acre or a total build-out cap of 65,820 square feet for the entire PDD.

The Bailey Park PDD is planned to include a maximum of 233 residential units, which is based on a unit density of 12 units/upland acre for Tract B. Overall residential density shall include both Attached and Detached Single-Family Residential and Multi-Family Residential.

Commercial to Residential Conversion Rate: Commercial land uses in Tract A may be converted to multi-family or assisted living residential units. The allowable conversion rate shall be 12 DU per Acre. Both Short and Long-term multi-family rentals and units for sale are allowed.

Commercial acreage shall comply with stormwater, parking, buffering, landscaping and other site design requirements of the PDD and the Jasper County ZO. Assisted living, congregate care, and nursing home facilities shall not have a specified dwelling unit per acre maximum, provided compliance with stormwater, parking, buffering, landscaping and other site design requirements of the PDD and the Jasper County Ordinances and Regulations are met. All commercial development shall be subject to the provisions of the Jasper County ZO unless specifically exempted by this document.

D. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS

In the absence of a term definition in this Concept Plan, the definitions of the Jasper County Zoning Ordinance shall apply in the interpretation of this Concept Plan. The definitions below shall generally describe the allowed uses within the PDD.

1. Tract A - Community Commercial

The community commercial designation allows for the development of concentrated commercial and office nodes located on primary vehicular routes to serve the Bailey Park PDD and surrounding area.

a. Permitted Uses:

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods; establishments providing services or entertainment to the general public including but not limited to eating and drinking establishments, personal service and repair business and entertainment establishments (e.g. movie theatres, bowling alleys, etc.); medical and health facilities/office buildings and/or office for government, business professional or general purposes, unless specifically prohibited under Prohibited Uses below.

- (1) Assembly and Worship
 - (2) Colleges and Professional Schools, Neighborhood (elementary, middle and high school)
 - (3) Storage facility
 - (4) Assisted living and continuing care facility
 - (5) Daycare, commercial
 - (6) Utilities including Cell Towers
 - (7) Public Services
 - (8) Government Office
 - (9) Commercial lodging
 - (10) Commercial Retail
 - (11) Office
 - (12) Medical and Health Facilities
 - (13) Spas & Salons
 - (14) Restaurant & Bars (including outdoor seating)
 - (15) Service Businesses
 - (16) Dry-cleaning and Laundry Services
 - (17) Gas-convenient stores
 - (18) Commercial Amusement (indoor)
 - (19) Christmas Tree Sales
 - (20) Roadside Stands (on designated areas only)
 - (21) Commercial Outdoor Sales (related to existing retail)
 - (22) Public Interest and Special Events (permitted, located, and scheduled ahead of time)
 - (23) Movie Theaters and Bowling alleys
 - (24) Grocery
 - (25) Mini-warehouse facilities
 - (26) Single family attached, detached residential and Multi-family residential
- b. Sidewalk displays are permitted directly in front of an establishment, if at least five (5) feet of sidewalk is maintained for adequate and uncluttered pedestrian access.
- c. Commercial uses shall provide a minimum buffer of Fifteen (15) feet from any adjacent residential use not separated by a road right of way.

d. Prohibited Uses:

The following commercial uses are specifically prohibited:

- (1) Junkyards or auto salvage yards
- (2) Gambling facilities not authorized by law
- (3) Sexually-oriented businesses
- (4) Trucking terminals
- (5) Mobile Home Parks

2. Intentionally Blank

3. Tract B - Residential

1. Multi-family and Single family

- a. The maximum number of residential dwelling units on the property (Tract B) will be 233 units, as determined by specific soil conditions, environmental concerns, pedestrian friendly requirements, physical constraints, market conditions and design parameters.
- b. For detached single family residential and duplexes, (i) the average lot size may vary as to specific, individual master plans, but the overall average lot size on the Property shall not be less than 4,500 square feet and (ii) the minimum side setbacks shall be 6 feet on each side. Side setbacks can be reduced at the discretion of the County's Planning staff. The primary standard, to be utilized in allowing the variance shall be the maintenance of the County's Insurance Services Organization fire safety rating. As for dwelling units, a minimum front-yard setback of 25 feet shall be imposed on lots with front-loaded garages; a minimum setback of 15 feet for lots with side-loaded garages; a minimum setback of 15 feet from the back lot line; and a minimum setback of 5 feet from a pool or deck. For corner lots, the second street setback shall be 15 feet.
- c. For attached single family residential, townhomes, or condominiums (i) there shall be no minimum lot size or setbacks, and (ii) 6-foot side setbacks shall be required for all non-common lot line sides.

- d. Multi-family residential units (which are not separated by a ground-to-roof wall) are allowable up to a maximum of 12 units per acre. Multifamily residential consists of attached or detached residential including both short term and long-term rentals. Multi-family units do not have a lot size designation. Multi-family units shall be limited to a maximum of 35 feet in height above finished grade, as applicable, not including minor uninhabitable architectural elements above basic roof lines, subject to provisions of the Jasper County Ordinances.
- e. The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that the Property can be developed at the identified maximum. Lot sizes range from the square footage of the foundation of cottage-type product to larger single-family lots.
- f. Single-family residential consists of attached (2 or more units separated by a ground-to-roof wall) and detached residential, including both short and long-term rentals. Product mix may include full size lots, attached zero lot line product subject to Master Plan Review, townhouses, patio home sites and cottages. Residential improvements, including parking designed underneath dwelling units, shall be limited to a maximum of three (3) stories, in height above parking or base flood elevation not to exceed 35 ft measured from the average finished grade elevation at the building line to the mean roof height, as applicable, not including minor uninhabitable architecture elements above basic roof lines, subject to provisions of the Jasper County Ordinances.
- g. Additional lot size designations and bulk requirements shall be provided for each type of proposed residential use at the Master Plan phase.

4. Community Recreation, Amenities and Parks:

This designation allows for the recreational complexes and amenities to serve the Bailey Park PDD. Land uses may consist of private and semi-private recreation, indoor and outdoor lighted and unlighted recreation facilities, establishments, and services that include active and passive sports and entertainment, ancillary facilities such as restaurants serving such public recreational facilities. Community Recreation enhances the quality of life and provides recreational needs for the Bailey Park community and shall not be counted against the overall allowed acreage for commercial uses within the Bailey Park PDD. Permitted uses include

- a. Outdoor Recreational Facilities including but not limited to:
 1. Public or Private Clubhouse and pavilions (maximum 3 stories and 35' height above finished grade, subject to provisions of the Jasper County Ordinances)
 2. Swimming pool and support facilities

3. Event space and green for outdoor recreation and restrooms
4. Recreation fields, sports courts and other recreation related amenities.
5. Sidewalks and pedestrian trails
6. Recreational Building including but not limited to uses such as indoor recreation, meetings, assembly, banquet, fitness, and hobby space.
7. Accessory Buildings
8. Maintenance and Storage Facilities
9. Pro shops, snack bars, grills, restaurants and lounges associated with clubhouses
10. Ancillary uses associated with community recreation facilities such as craft centers, fitness centers, etc.

5. Institutional/Civic

This designation allows for institutional and civic land uses, which shall be allowed to occur as a mixed use throughout Tract A of the Bailey Park PDD. Institutional and civic land uses shall be reviewed at the Master Plan phase with total square footages counting at a rate of 100% towards the commercial cap.

- a. Civic, cultural, municipal, governmental, educational (public or private), conference centers, research or other similar facilities which may include dormitories or other similar living quarters for students, staff, faculty and professionals.
- b. Churches, synagogues, temple and other places of worship provided that such uses are housed in a permanent structure.
- c. Cemeteries provided that such use does not include a funeral home or crematorium.
- d. Medical and health facilities, assisted living facility, nursing home and congregate care facility.
- e. Public emergency service facilities, library, museum, day care facilities, social/community centers, etc.

6. Maintenance Areas

The maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties within the Bailey Park PDD. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general community maintenance, golf course maintenance, recreation area maintenance or individual property regime maintenance. Permitted uses include:

- a. Vehicle maintenance
- b. Storage of vehicles and parts, boats, recreational vehicles and resident storage
- c. Fuel storage
- d. Shops for woodwork, metalwork, and painting.

- e. Greenhouses, plant propagation areas and holding yards
- f. Mulching facility and mulch storage.
- g. Storage of chemicals and bulk materials as permitted by law.
- h. Offices associated with community and maintenance.

7. Model Home/Sales Center

This designation allows for the model home sales facilities associated with the primary sale of residential lots and homes. The facility(s) will be temporary in nature with the model homes being sold as single-family residences in the future or the facility(s) may relocate from time to time during the period of development to meet the needs of development phasing. From time-to-time model homes may be constructed and later sold as permanent residences when no longer needed as models. Permanent model homes will count towards the total residential density cap and towards associated residential development fees.

8. Open Space

Bailey Park PDD shall provide at least ten (10) percent open space for all residential land uses. There shall be no requirement for additional open space for the Commercial portions of the development; however, 10% of the overall Commercial uplands will remain pervious. No wetlands, rights of way, easements, or other lands already subject to use restrictions shall be used to generate the ten percent (10%) open space reservation for residential land uses. Open space may be located in restricted access, gated communities and shall consist of the following:

- a. 1.25 acres of the overall 10% open space to be dedicated as active open space for the community
- b. Landscaped areas including manicured village greens
- c. Forest, wildlife preserves/corridors, wetland conservation areas, stormwater management areas and greenbelts
- d. Community garden plots
- e. Recreation areas including swimming pools, tennis courts playgrounds, ball fields, lawn game fields, and public gardens
- f. Pedestrian/bicycle trail, sidewalk easements and rights-of-way
- g. Buffer and setback areas

9. Setbacks and Buffers

Setbacks and buffers required by the HCOD shall apply according to the JCZO if and when necessary. All other buffers and setbacks shall be maintained as described below:

- a. Setbacks and buffer standards within the Bailey Park PDD shall include:

- 1. There shall be no minimum setbacks applied to the Concept

Plan other than those described in the HCOD where necessary, those required by Fire Code, and those described elsewhere in this document. Residential setbacks are described in Section II.D.3.b of this document.

2. Buffers between non-compatible land uses shall comply with JCZO. The required buffers shall be a total width and can be met by sharing a buffer across a property line.
 3. At jurisdictional wetlands or recorded conservation easements the setbacks and buffers shall be as determined by the state and federal agencies having jurisdiction over the wetlands. The project shall also comply with JCZO with regards to riparian buffering. The project shall have the right to buffer average in accordance with USACE and OCRM standards.
 4. A 10-foot setback shall be required for all drainage systems and retention ponds within the development.
- b. Perimeter buffer for single family and townhomes shall be a minimum of 20', except for perimeter areas where there are previously existing residences. Where there is a previously existing residential structure on an adjacent property, the perimeter buffer shall be 30'. All other uses shall be required to have a minimum 20' Buffer. Stormwater features related to the outfall from a detention, retention or filtration system shall be allowed within the perimeter setbacks and buffers. Only temporary flood control and soil erosion control devices shall be permitted in the perimeter setback and buffer areas during construction. These devices shall be immediately removed upon stabilization of these areas.

10. Signage Control

Signage for the Bailey Park PDD shall be governed by the Jasper County ZO and LDR in effect at the time of the submission of final development plans or as herein contained.

11. Wetlands

This designation allows the following uses within wetlands. Freshwater wetlands on the property shall be those areas over which the applicable governmental agencies claim jurisdiction for freshwater wetlands. Unless restricted via a future Memorandum of Agreement (MOA) to the contrary, the following are permitted uses:

- a. Buffers
- b. Conservation areas
- c. Activities in all wetland areas as permitted by the USACE and OCRM

- d. Disposal of reclaimed water as permitted by SCDHEC
- e. Stormwater management and recreational lakes
- f. Boardwalks, trails, bridges and other permitted structures
- g. Game Management

12. Utilities

This designation allows for utility service to serve the planned tracts of the Bailey Park PDD. Utility types and facilities not germane to the development will be subject to review by the Planning Commission as part of the Master Plan review process. The following land uses shall be allowed:

- a. Potable water supply and distribution
- b. Wastewater collection, treatment, and disposal
- c. Stormwater collection, treatment, and detention
- d. Irrigation
- e. Communication towers (except in residential land use areas)
- f. Satellite antennas
- g. Cable television facilities
- h. Telephone facilities
- i. Power transmission and distribution
- j. Fiber optic lines
- k. Other utility services (i.e., Internet access and other telecommunication uses)

Certain community-wide infrastructure is required for the development of any large, master-planned community. This infrastructure may include, but is not limited to the following:

- Arterial streets and primary access roads
- Water supply
- Wastewater treatment and effluent disposal
- Power substations
- Central telephone facilities
- Stormwater management lagoons
- Natural gas supply

In the case of this Concept Plan, the community-wide infrastructure may serve more than one planning tract. Infrastructure serving the community (on-site and off-site) will be approved as part of the Master Plan approval process. Infrastructure projects must receive a Jasper County Development Permit prior to construction.

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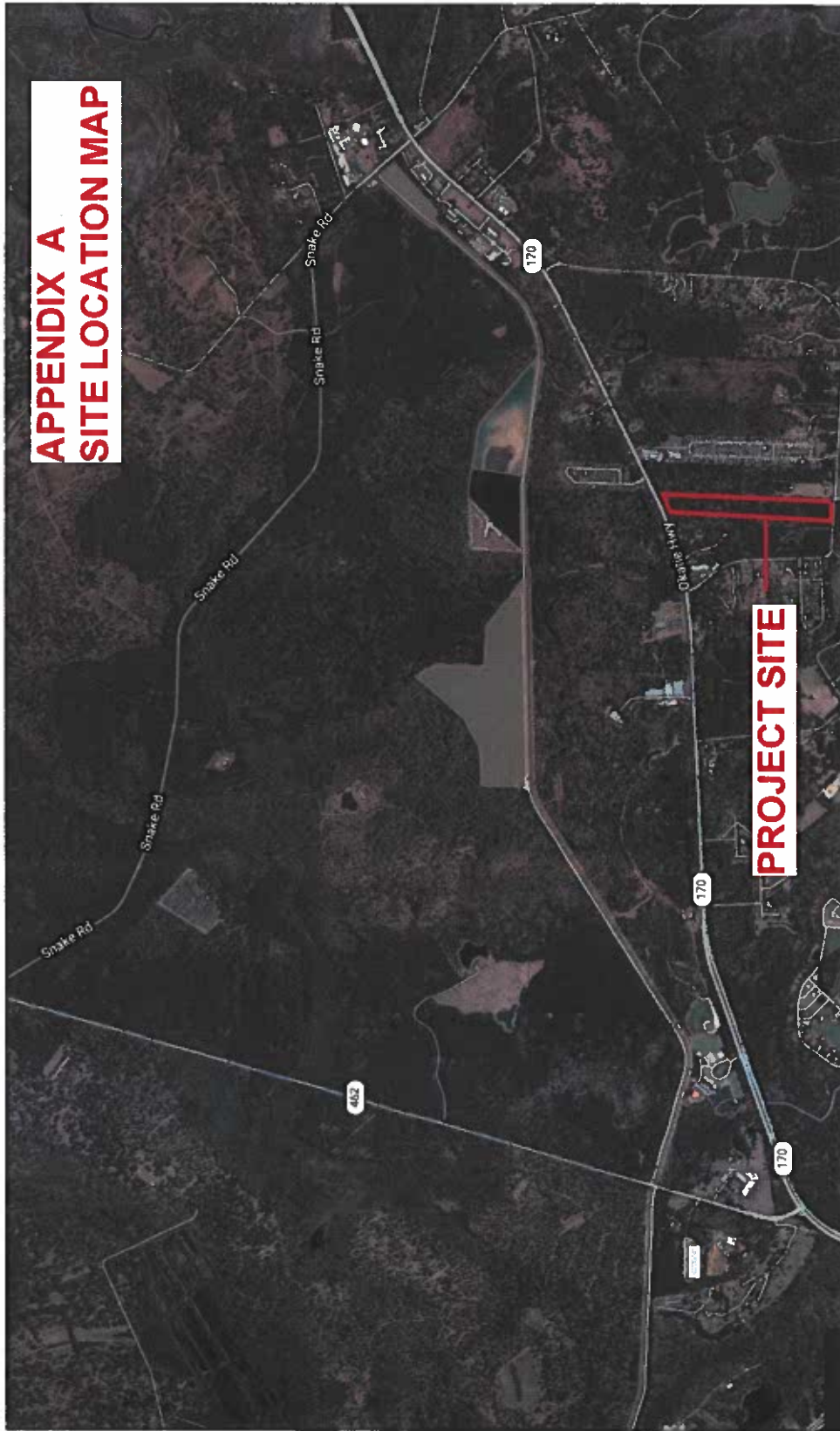
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APPENDIX A

SITE LOCATION MAP

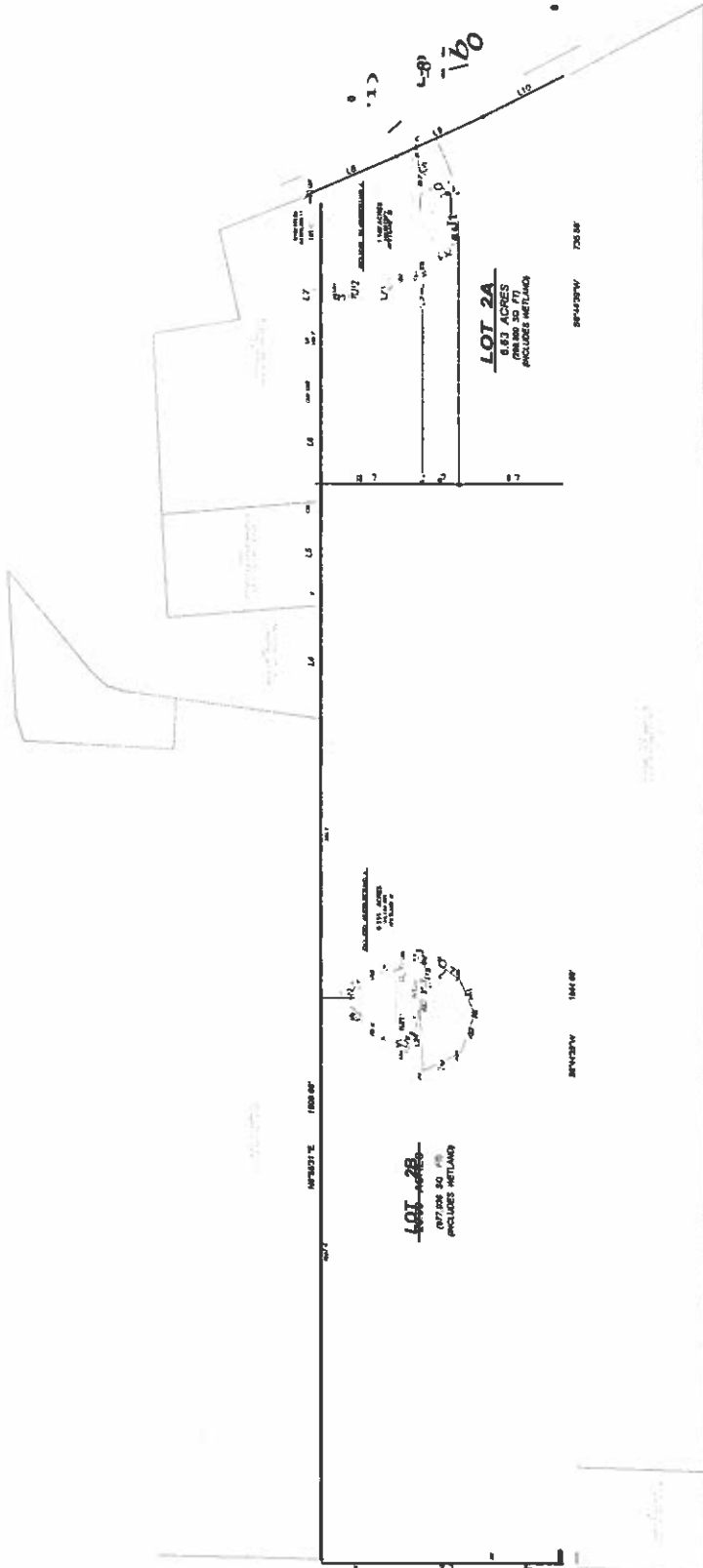
**APPENDIX A
SITE LOCATION MAP**



PROJECT SITE

APPENDIX B

SITE SURVEY



LOT 2A
 1.145 AC.
 0.555 AC.
 1.700 AC.
 INCLUDES WETLAND

LOT 2B
 0.7708 AC.
 INCLUDES WETLAND

WETLAND "A" 1.145 AC.
WETLAND "E" 0.555 AC.
SUB-TOTAL 1.700 AC.

UPLANDS 24.828 AC.
TOTAL AREA 26.528 AC.

A WETLAND SURVEY
 OF
 081-00-04-007

LOCATED ON
OLD BAILEY ROAD

CHESTER TOWNSHIP, SOUTH CAROLINA
 SURVEYED BY ROWEN
 DATE 10/1/03
 CHECKED BY AND
 JOB NO. 70171

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. I AM A LICENSED PROFESSIONAL SURVEYOR AND AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND.

SCALE IN FEET
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SCALE IN FEET
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U.S.A.
 PROFESSIONAL SURVEYOR
 No. 1178



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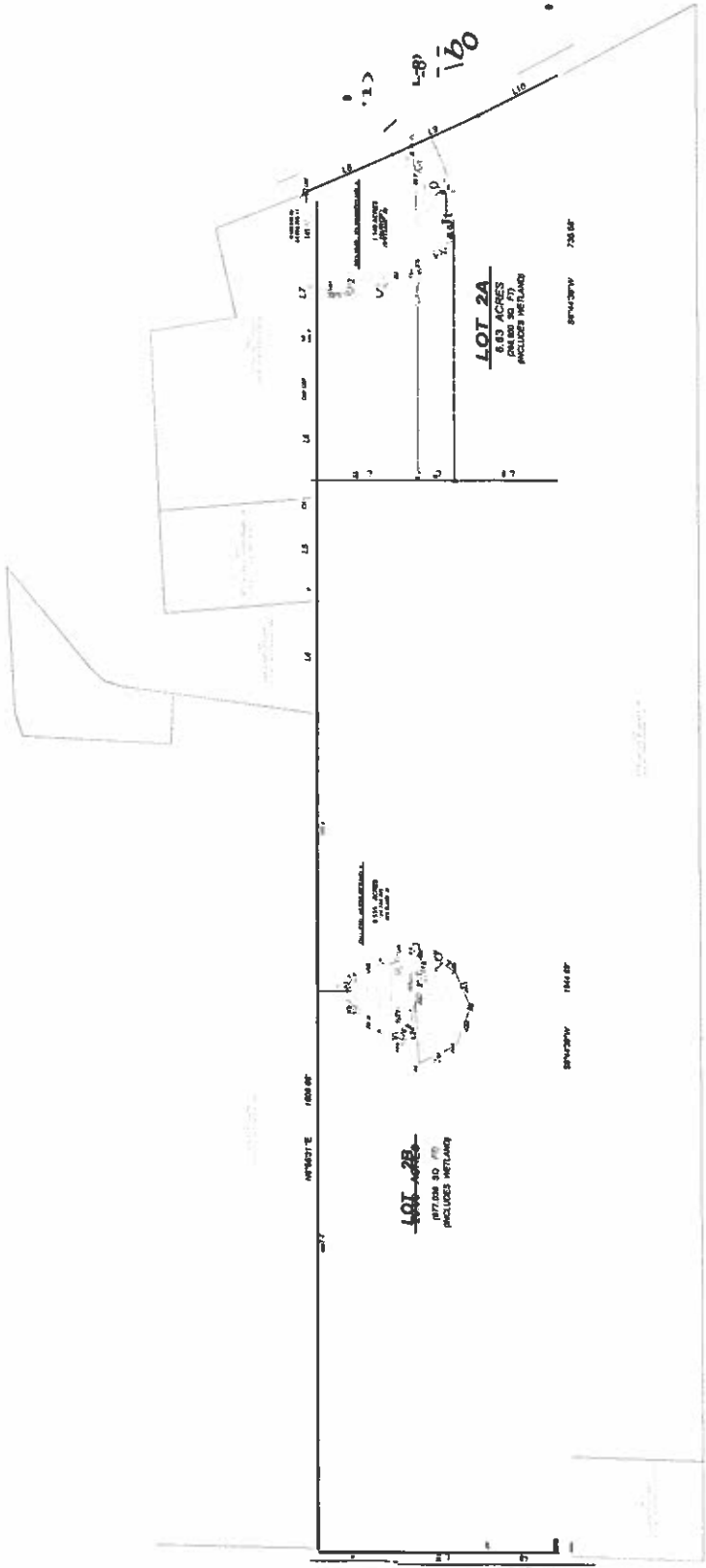
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1. THIS MAP WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF SOUTH CAROLINA.
 2. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND.
 3. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.
 4. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND.

APPENDIX C

FRESHWATER WETLANDS DELINEATION



LOT 2A
87.74 ACRES
(358.00 SQ FT)
INCLUDES WETLAND

LOT 28
177.08 SQ FT
INCLUDES WETLAND

WETLAND "A" 1.145 AC.
WETLAND "E" 0.555 AC.
SUB-TOTAL 1.700 AC.

UPLANDS 24.926 AC.
TOTAL AREA 26.626 AC.

A METALAND SURVEY
OF
081-00-04-007

LOCATED ON
OLD BAILEY ROAD
DISTRICT OF WEST YORKSHIRE
SCALE: 1" = 100'
DATE: 06-24-02
JOB NO: 70-371

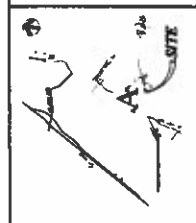
DESIGNED BY: JAC
DRAWN BY: JAC
CHECKED BY: AND
DATE: 06-24-02
JOB NO: 70-371

1. I hereby state that to the best of my knowledge and belief, the information furnished herein is true and correct, and that I am a duly qualified and licensed professional engineer in the State of North Carolina. I have not been disciplined or suspended from my license by the Board of Engineers and Architects of the State of North Carolina.

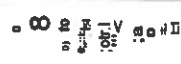
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REVISIONS TABLE

NO.	DATE	DESCRIPTION
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VICINITY MAP - N.E.E.



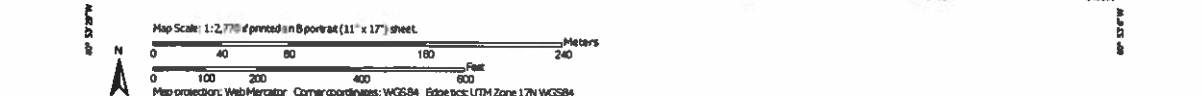
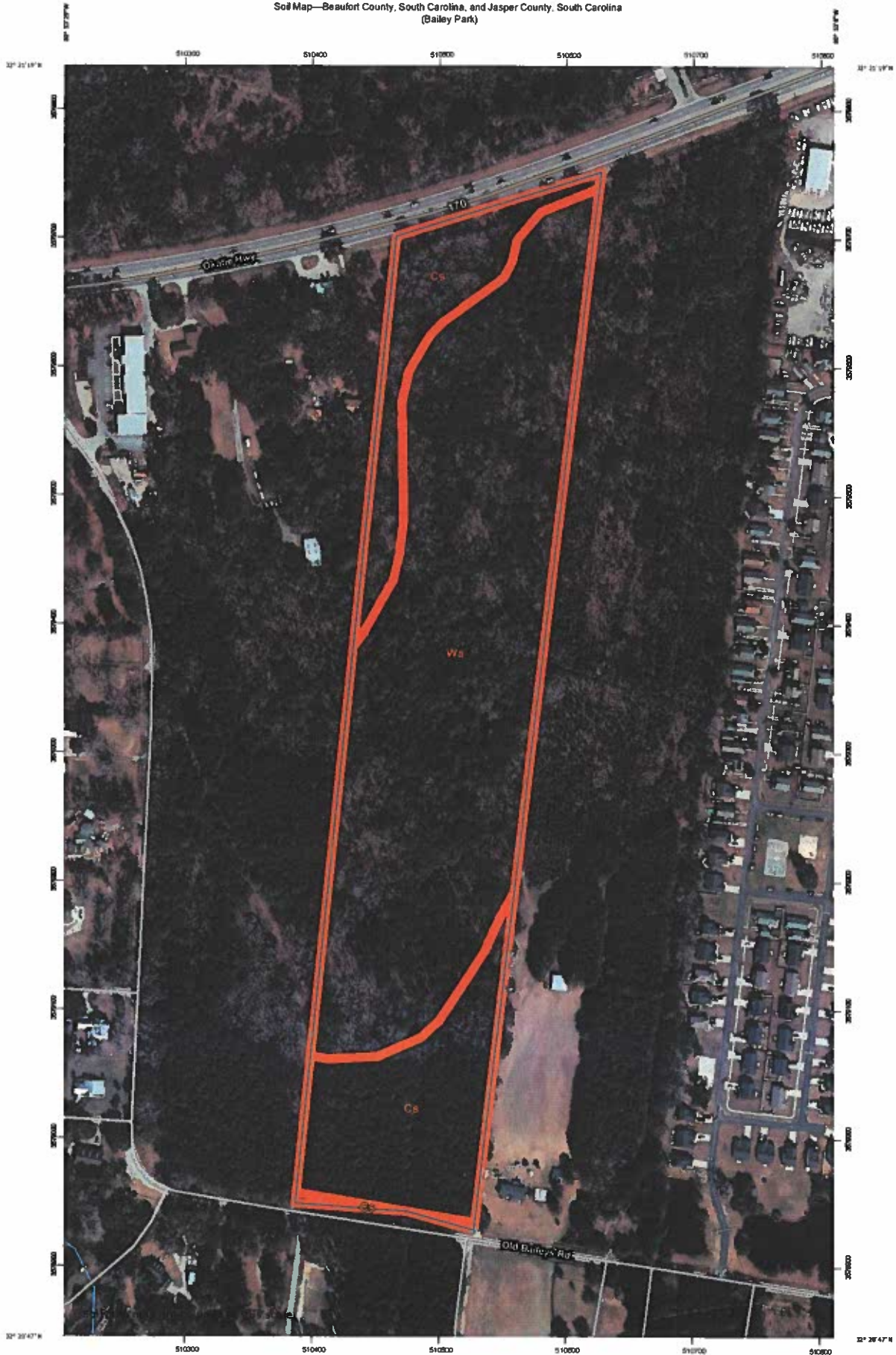
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1. I hereby state that to the best of my knowledge and belief, the information furnished herein is true and correct, and that I am a duly qualified and licensed professional engineer in the State of North Carolina. I have not been disciplined or suspended from my license by the Board of Engineers and Architects of the State of North Carolina.

APPENDIX D

USDA SOILS DATA

Soil Map—Beaufort County, South Carolina, and Jasper County, South Carolina
(Bailey Park)



MAP LEGEND

- Area of Interest (AOI)
- Area of Interest (AOI)
- Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points
- Special Point Features**
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features
 - Streams and Canals
- Transportation**
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background**
 - Aerial Photography
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Beaufort County, South Carolina
Survey Area Data: Version 17, Aug 27, 2021

Soil Survey Area: Jasper County, South Carolina
Survey Area Data: Version 16, Aug 30, 2021

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 21, 2021—Feb 23, 2021

MAP LEGEND

MAP INFORMATION

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Cs	Coosaw loamy fine sand	0.1	0.5%
Subtotals for Soil Survey Area		0.1	0.5%
Totals for Area of Interest		29.1	100.0%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Cs	Coosaw loamy fine sand	8.6	29.5%
Wa	Wahee fine sandy loam	20.4	70.1%
Subtotals for Soil Survey Area		28.9	99.5%
Totals for Area of Interest		29.1	100.0%

APPENDIX E

AERIAL SITE MAP



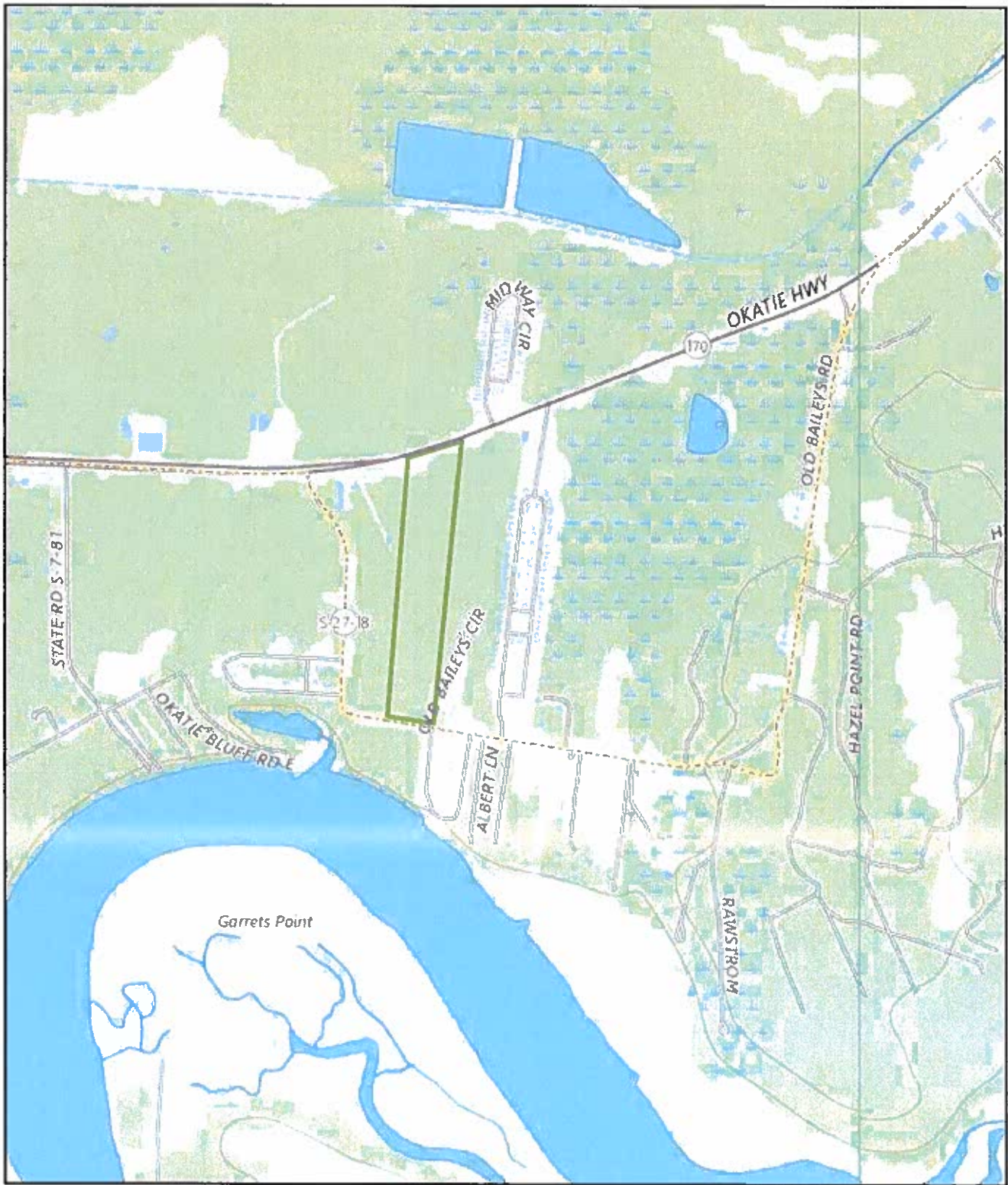
**APPENDIX E
AERIAL SITE MAP**



APPENDIX F

USGS QUADRANGLE MAP

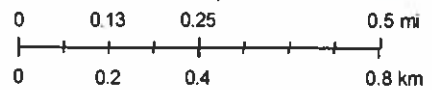
The National Map Advanced Viewer



3/12/2022, 12:57:55 PM

1:18,056

- | | |
|--|---|
|  Override 1 |  15 Minute (1:63K) Index |
|  3.75 Minute Index |  30x60 Minute (1:100K) Index |
|  7.5 Minute (1:24K) Index |  1x1 Degree Index |



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census

APPENDIX G

FEMA MAP

National Flood Hazard Layer FIRMette



80°51'36"W 32°21'00"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, APD With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway 	<p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levees. See Notes. Zone X Area with Flood Risk due to Levees Zone D
<p>OTHER AREAS</p> <ul style="list-style-type: none"> No SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRS Area of Undetermined Flood Hazard Zone D 	<p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
<p>OTHER FEATURES</p> <ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transsect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transsect Baseline Profile Baseline Hydrographic Feature 	<p>MAP PANELS</p> <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

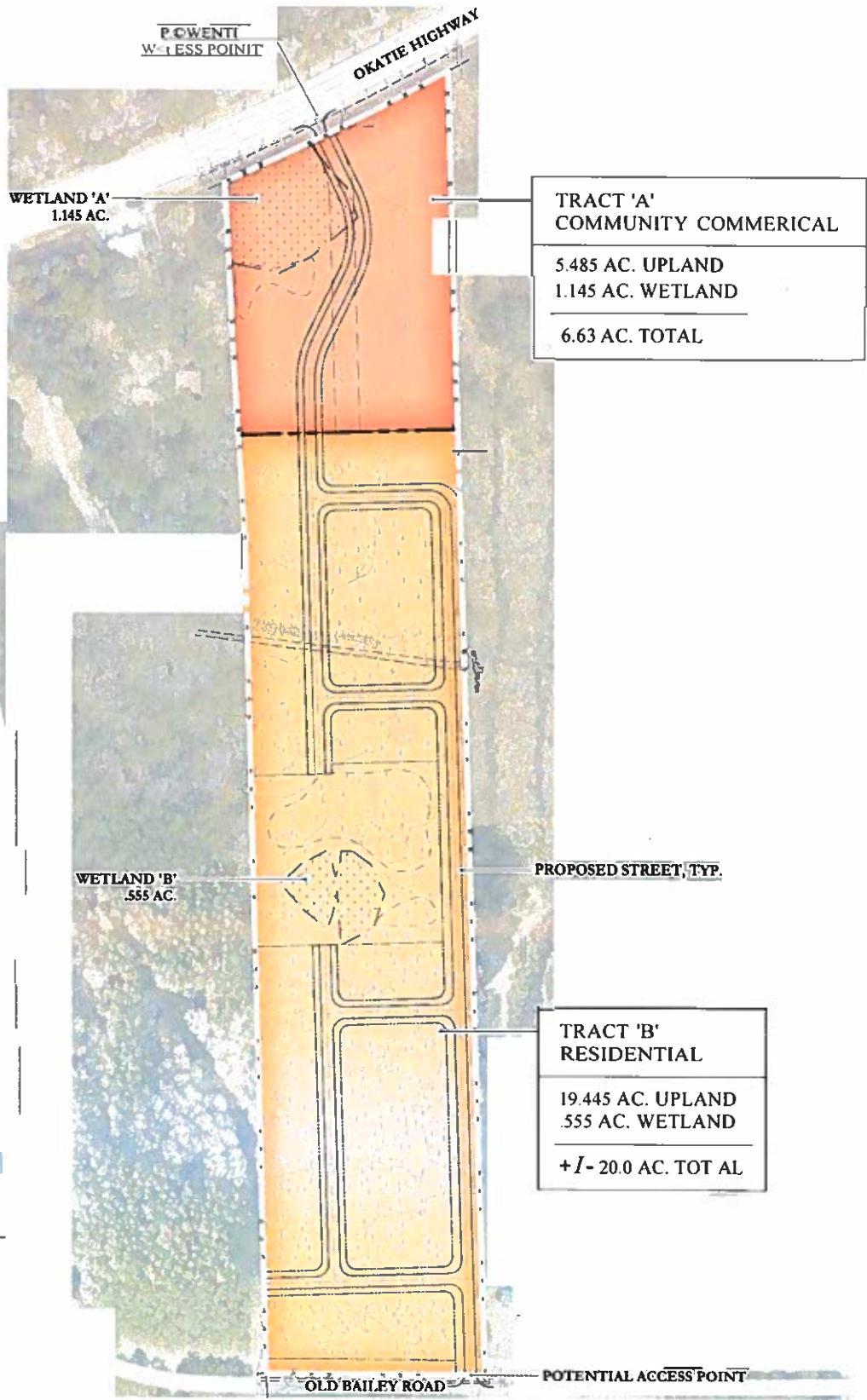
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/12/2022 at 1:01 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRN panel number, and FIRN effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

APPENDIX H

CONCEPT PLAN



TRACT 'A'
COMMUNITY COMMERCIAL

5.485 AC. UPLAND
1.145 AC. WETLAND

6.63 AC. TOTAL

TRACT 'B'
RESIDENTIAL

19.445 AC. UPLAND
.555 AC. WETLAND

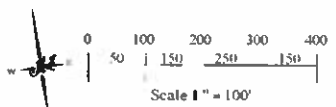
+/- 20.0 AC. TOTAL

UPLAND TOTAL
24.93 AC.



MARCH 15, 2011

BAILEY PARK
PLANNED DEVELOPMENT DISTRICT
CONCEPT PLAN
JASPER COUNTY, SOUTH CAROLINA



Note: Plan is conceptual in nature and subject to change

AGENDA ITEM:

VI

Approval of the Minutes



JASPER COUNTY COUNCIL
VIRTUAL COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936

October 3, 2022
Minutes

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley
Councilman L. Martin Sauls (present for Regular Session only), Councilman Pastor Alvin Adkins
and Councilman John Kemp.

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County
Attorney David Tedder, Kimberly Burgess, Russell Wells, Lisa Wagner, and Videographer Jonathan
Dunham.

Also Present:

Chairwoman Clark called the meeting to order at 4:30PM. Chairwoman Clark asked the Clerk to
Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to
Council read the Clerk's Report of Compliance with the Freedom of Information Act as follows: *In
compliance with the Freedom of Information Act, notice of meetings and agendas were posted and
furnished to all news media and persons requesting notification.*

The information below was read for the executive session.

**Motion to go into executive session with the addition of adding personnel to the Executive
Session:** Vice Chairman Dr. Brantley
Second: Councilman Kemp
Vote: Unanimous
The motion passed.

Executive Session SECTION 30-4-70.

**(a) A public body may hold a meeting closed to the public for one or more of the following
reasons:**

**(2) 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
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 -
Election Matters; Exit 3; Cypress Ridge Spec Building Number 4; Beaufort-Jasper Housing
Trust Fund - Affordable Housing IGA; Stevenson Purchase Proposal Tax Map #**

091-00-01-029

(5) 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 – Prospect Update; Update on the Bailey Park PDD; Update on the Peninsula Tract Development Agreement; Project Silver Star; Project Ice

ANY EXECUTIVE SESSION MATTER ON WHICH DISCUSSION HAS NOT BEEN COMPLETED MAY HAVE DISCUSSION SUSPENDED FOR PURPOSES OF BEGINNING THE OPEN SESSION AT ITS SCHEDULED TIME, AND COUNCIL MAY RETURN TO EXECUTIVE SESSION DISCUSSION AFTER THE CONCLUSION OF THE OPEN SESSION AGENDA ITEMS. PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM EXECUTIVE SESSION.

Return to Open Session:

Motion to approve: Councilman Kemp

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

There were no motions from Executive Session.

The Pledge of Allegiance was led by Councilman Kemp and the invocation was given by Councilman Adkins.

Approval of Agenda:

Motion to approve: Councilman Kemp

Second: Vice Chairman Dr. Brantley

It was questioned as to why item Ordinance Item H “3rd reading of Ordinance #0-2022-18 to amend Chapter 27 of the County Code of Ordinances (Fees) to Authorize and Set Fees and Costs for the Coroner’s Office and Matters Related Thereto” was placed back on the agenda. Mr. Tedder noted that the motion had previously died for a lack of a second at a previous meeting, that is was why it was back on the agenda.

Another motion was made to approve the agenda with the removal of Ordinance Item H:

Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Approval of the minutes of 06.27.2022:

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Proclamation and Presentations:

A: Chief Russell Wells – Proclamation for Fire Prevention Week

Chief Wells was present to address this request with Council and read the Proclamation for Fire Prevention Week.

Motion to adopt: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

B: Chief Russell Wells – Pinning Ceremony for Battalion Chief Blake Jernigan

Chief Wells was present to address the Council with the Pinning Ceremony for Promotion of Battalion Chief Blake Jernigan. The Oath of Office was given and the Promotional Warrant was made by Deputy Chief Vaughn. The Pinning Ceremony was performed and photos were taken. Council congratulated Battalion Chief Jernigan on his promotion.

C: Chief Russell Wells – Pinning Ceremony for Lieutenant Allen Perry

Chief Wells noted that this ceremony would be held at a later date.

Open Floor to the Public per Ordinance 08-17– Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting’s 6PM start time on the Sign In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes per person and total public input will be limited to 30 minutes. No comments.

Resolutions:

A: Brantley Strickland – A Resolution Authorizing, Under Certain Conditions, the Execution and Delivery By Jasper County, South Carolina Of A Fee In Lieu Of Tax Agreement With Project Ice With Respect To An Industrial Project In The County Whereby the Project Would Be Subject To Payment Of Certain Fees In Lieu Of Taxes, and Whereby Project Ice Will Be Provided Certain Credits Against Fee Payments In Reimbursement Of Investment In Related Qualified Infrastructure; and Providing For Related Matters.

Brantley Strickland was present to discuss and address this request with Council. He discussed the fact that this was a resolution request authorizing a Fee in Lieu of Tax Agreement with Project Ice. He noted that Project Ice would be in Hardeeville and would provide about 85 jobs.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

B: Danny Lucas – Resolution #R-2022-23 Authorizing the County Administrator to Enter Into An Intergovernmental Agreement With Beaufort County, City Of Hardeeville, Town Of Hilton

M – 10.03.2022

Jasper County Council

Head Island, Town Of Bluffton, Town Of Port Royal, City Of Beaufort, And The Town Of Yemassee To Jointly Create, Fund, and Operate A Regional Housing Trust Fund.

Mr. Lucas was present to review and address the request for a resolution authorizing the County Administrator to enter into an Intergovernmental Agreement with Beaufort County, City of Hardeeville, Town of Hilton Head Island, Town of Bluffton, Town of Port Royal, City of Beaufort, and the Town of Yemassee to jointly create, fund, and operate a Regional Housing Trust Fund.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Ordinances:

A: Lisa Wagner - Public Hearing and 2nd reading of Ordinance [#0-2022-27](#) to amend the Official Zoning Map of Jasper County so as to transfer a property located at 5787 Lowcountry Drive, bearing Jasper County Tax Map Number 083-00-03-057 from the Community Commercial Zone to the General Commercial Zone on the Jasper County Official Zoning Map.

Chairwoman Clark turned the meeting over to Vice Chairman Dr. Brantley. Chairwoman Clark and Councilman Sauls were not available on the video for this item.

Ms. Wagner was present to address and review this request with Council. She noted that the subject property consists of 4.08 acres and is located at 5787 Lowcountry Drive. The Applicant has requested a Zoning Map Amendment to have the properties designated as General Commercial. The subject property is currently zoned Community Commercial and is undeveloped. The applicant would like to have the property re-zoned to General Commercial to allow business and to rent out some flex space. The applicant believes General Commercial is a better fit for the area.

Ms. Wagner noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. The adjacent parcels are zoned Mixed Business and Community Commercial with Industrial, Residential, Rural Preservation and General Commercial nearby. Adjacent land uses are Commercial and vacant property. The subject property is accessed by Lowcountry Drive (Highway 462), which is a two lane state maintained highway unnamed, county maintained dirt road. Planning Commission recommends denial of the request to have the property designated as General Commercial.

The public hearing was opened. Ms. Wagner read comments from the following persons in opposition of this request: Lisa Collier, Kathleen DeCoursey, Russell Fredericks and David Sessler. The public hearing was then closed after comments were given. Councilman Kemp noted that the Planning Board declined this request because they saw no reason to go to General Commercial. They felt it should stay Community Commercial and he noted that he did not want to go against the advisement of the Planning Commission.

Motion to approve the ordinance to deny the zoning change: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Lisa Wagner - Consideration of the 1st reading of an ordinance to Amend Article 7:5, *Maximum Building Height*, of the Jasper County Zoning Ordinance, to allow increased building heights in certain areas where there is a public water distribution system and adequate fire-fighting equipment available in such areas, which is capable of fighting a structure fire safely.

Chairwoman Clark and Councilman Sauls were not available on the video for this item.

Ms. Wagner was present to review this request with Council. She noted that the purpose and intent of this proposed ordinance is to amend Article 7:5 of the Jasper County Zoning Ordinance, *Maximum Height* requirement. Currently, the maximum building height is 35', measured from the average finished grade elevation at the building line to the mean roof height. Recently, the planning staff has received inquiries and a request for a variance to increase the building height. The proposed ordinance will provide guidelines to allow certain projects to ask for an increase in building height not to exceed 50' and in all cases, each request would be reviewed by the Fire Chief or their designee to determine if the project site is located in an area where EMS has the ability to adequately fight a structure fire based on public water and firefighting equipment

Ms. Wagner noted that the proposed ordinance would amend the Jasper County Zoning Ordinance as follows (new language in red):

Article 7:5, Maximum Height:

Maximum building height in all districts is 35 feet. Height measurement shall be made from the average finished grade elevation at the building line to the mean roof height.

The maximum building height may be increased to 50 feet, measured from the average finished grade elevation at the building line to the mean roof height, in areas where there is a public water distribution system and the Fire Chief or their appointed designee, confirms that there is adequate firefighting equipment capable of fighting a structure fire available in such areas to safely accommodate the increased height.

Non-Habitable structures such as towers and flagpoles shall not exceed 35 feet in height measured from the average finished grade except where flags are expressly permitted in Article 15, Sign Standards.

Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the district height limit.

She noted that the Planning Commission reviewed this ordinance at their September 13, 2022 Meeting and recommends approval of the ordinance as presented. There was some discussion on this item regarding the meaning of the ordinance language. Councilman Kemp asked why not move it to 40 ft which would be the same as the City of Hardeeville and Town of Ridgeland.

Motion to accept the amendment: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C: David Tedder – Consideration of the 1st reading of an Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By and Between A Company Known To The County As “Project Ice” (The “Company”) and Jasper County, Whereby Jasper County Will Enter Into A Fee-In-Lieu Of Tax Agreement With The Company and Providing For Payment By The Company Of Certain Fees-In-Lieu Of *Ad Valorem* Taxes; Providing For Special Source Revenue Credits In Connection With Such Agreement; Providing For The Allocation Of Fees-In-Lieu Of Taxes Payable Under The Agreement For The Establishment Of A Multi-County Industrial/Business Park; And Other Matters Relating Thereto.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to address and review this item with the Council. He noted that this was an ordinance to authorize a Fee in Lieu of Tax Agreement between Project Ice and Jasper County. He recommended approval of this ordinance on the first reading.

Motion to accept: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

D: Kimberly Burgess – Consideration of the 1st reading of an Ordinance amending the FY22/23 budget to provide for the expenditure not to exceed \$800,000.00 dollars from the Fund Balance for the purpose of renovations to the Jasper County Farmers’ Market.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Ms. Burgess was present to address this request. She discussed that the item before Council was a request for the first reading of an Ordinance to amend the Fiscal Year 2022 – 2023 Budget as it was originally adopted by Ordinance No. O-2022-17 on June 27, 2022 (in accordance with the Local Government Code of The State Of South Carolina and the Ordinances Jasper County. She noted that this request was to provide for the expenditure not to exceed \$800,000 from the Fund Balance for the purpose of renovations to the Jasper County Farmers’ Market. There was some discussion and Councilman Kemp asked if there were plans for this. Ms. Burgess noted that they were given to the Construction Manager. Councilman Kemp asked if the Chamber of Commerce was helping to pay for this as there were other projects in the County to consider. He said he would approve the item to move forward but wanted a workshop. Vice Chairman Dr. Brantley agreed with the workshop and wanted to see what would be done at the Farmer’s Market. Mr. Fulghum said they fully intended to have a workshop and provide plans.

Motion to approve the first reading: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

E: David Tedder – 2nd reading of an ordinance for **Project Silverstar** authorizing the sale of TMS 063-30-03-010, approximately 11 acres, to P & S Properties M, LLC and to authorize the Jasper County Administrator to execute such deeds and other documents as may be necessary and appropriate to effect the sale.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to review and address this request for the 2nd reading of an ordinance for Project Silverstar which authorized the sale of approximately 11 acres to P & S Properties M, LLC. He noted that the request included allowing the County Administrator to execute the deeds and documents on this sale.

Motion to approve the 2nd reading: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

F: David Tedder – Consideration of 1st reading by **TITLE ONLY** for **Authorizing And Approving The Development Of A Jointly Owned And Operated Multi-County Industrial/Business Park In Conjunction With Hampton County (The “Park”), Such Industrial/Business Park To Be Geographically Located In Jasper County (The “County”) And Established Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended (The “Act”); Providing For A Written Park Agreement With Hampton County To Provide For The Expenses And The Distribution Of Fees In Lieu Of Ad Valorem Taxes For The Park; Providing For The Establishment And/Or Expansion Of Certain Facilities By Project Silverstar, Acting For Itself, One Or More Affiliates, And/Or Other Project Sponsors (Collectively, The “Company”) In The County (The “Project”) To Be Included In The Park; Providing For The Benefits Of A Multi-County Industrial Or Business Park To Be Made Available To The Company And The Project; And Other Matters Relating Thereto.**

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to address and review this request with Council. He noted that this was a first reading only of this ordinance by Title Only and it authorized and approved the development of a Multi County Industrial Business Park to be jointly owned by Jasper County and Hampton County.

Motion to approve: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

G: David Tedder - Consideration of 1st reading by **TITLE ONLY** for **Authorizing The Execution And Delivery Of An Infrastructure Credit Agreement To Provide For Infrastructure Credits To Project Silverstar; And Other Related Matters.**

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Tedder was present to address and review this request with Council. He noted that this was a first reading only of this ordinance by Title Only and it authorized the execution and delivery of an infrastructure credit agreement for Project Silverstar. Mr. Tedder noted that this ordinance would include the usual provisions.

Motion to approve by Title Only: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

H: David Tedder - 3rd reading of Ordinance #O-2022-18 to amend Chapter 27 of the County Code of Ordinances (Fees) to Authorize and Set Fees and Costs for the Coroner's Office and Matters Related Thereto. (There was no second to the motion on 07.18.2022)

This item was removed from the agenda during the approval of the agenda.

New Business:

A: Sebreana Graham - As requested by the Lowcountry Council of Governments a Ratification by Council to an Amendment to Creation Agreement -Article II Membership and Representation.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Ms. Graham was present to address this request with Council. She noted that this was a request by the Lowcountry Council of Governments for an amendment to the Creation Agreement for Article II Membership and Representation. She reviewed the letter and information provided to Council in the agenda e-packet.

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Wanda Simmons - Request to amend the Jasper County Council Meeting Schedule for 2022.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Ms. Simmons was present to present and discuss this item with Council. When the 2022 County Council Meeting Schedule was approved there was an error made on the listing for the date for the December 2022 meeting. The list currently shows a December 6th meeting date which is a Tuesday. Staff would like to correct this and correct the date to reflect the normal Monday meeting date which would be December 5th. She noted that the staff recommendation was that the date change be made.

Motion to approve: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous
The motion passed.

C: Andrew Fulghum – Presentation of a proposal from Envisio Solutions Inc.– strategy execution, performance management and reporting software.

Chairwoman Clark and Councilman Sauls were not available on the video for this item. Mr. Fulghum reviewed and presented this request to Council for the proposal from Envisio Solutions Inc.– strategy execution, performance management and reporting software. Discussion was held on this item and Mr. Fulghum explained more about the software and its capabilities, noting it would be of great use to the County. Councilman Kemp asked if IT had looked into this, and Mr. Fulghum assured him that they had been involved in the process.

Motion to approve and accept the proposal option #2: Councilman Kemp
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

Old Business: There was no old business for this meeting.

Council Members Comments:

Chairwoman Clark and Councilman Sauls were not available on the video for this item.

Councilman Adkins thanked God for all things and for safety from the storm. He urged everyone to stay safe and healthy.

Councilman Kemp noted that on October 26th there would be a minority small business event. He also noted that from October 24th thru November 5th during the hours of 8:30am to 5:00pm Early voting was available. He noted that the Planning Commission had discussed signs in relation to the differing colors. He also noted he was glad that everyone stayed safe from the storm.

Vice Chairman Dr. Brantley noted that from October 24th thru November 5th during the hours of 8:30am to 5:00pm Early voting was available, and he urged everyone to vote in the election.

Administrator's Report:

Mr. Fulghum provided his report in the agenda e-packet and noted he was available for any questions.

Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II.

There was no reason to return to executive session for this meeting.

Adjourn:

Motion to adjourn: Councilman Kemp
Second: Councilman Adkins

Vote: Unanimous
The motion passed.

The meeting adjourned at 7:10PM.

Respectfully submitted:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL

Workshop

Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936

Wednesday, October 12, 2022

Minutes

Officials Present: Chairwoman Barbara B. Clark, Councilman Pastor Alvin Adkins and Councilman John Kemp. **Absent:** Vice Chairman Dr. Curtis Brantley and Councilman L. Martin Sauls.

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, and Videographer Jonathan Dunham.

Also Present: Mr. Lyle Sumek

Chairwoman Clark called the meeting to order at 9:00AM. Chairwoman Clark asked the Clerk to Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to Council read the Clerk's Report of Compliance with the Freedom of Information Act as follows: *In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.*

Councilman Kemp led the Pledge to the Flag and the Invocation was led by Councilman Adkins.

Approval of the Agenda:

Motion to approve: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Opening Comments:

Councilman Kemp said he was wearing pink for Breast Cancer Awareness.

Mr. Fulghum noted that he had no other appointments for the day, and he was looking forward to this workshop.

Mr. Tedder thanked Mr. Sumek for being here for this workshop.

Lyle Sumek – Workshop regarding Good Governance Practices and Strategies

The workshop included a working break for lunch at midday. Mr. Sumek provided a workshop to the County Council regarding Good Governance Practice and Strategies.

Motion to adjourn: Councilman Adkins

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

M – 10.12.2022

Jasper County Council

The workshop adjourned.

Respectfully submitted:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936

October 17, 2022
MINUTES

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley
Councilman L. Martin Sauls (present for Regular Session only), and Councilman John Kemp.
Absent: Councilman Pastor Alvin Adkins

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Kimberly Burgess, Russell Wells, Lisa Wagner, and Videographer Jonathan Dunham.

Also Present: Alton Jenkins, Director of Veterans Affairs and Coroner Willie Aiken

Chairwoman Clark called the meeting to order at 5:07PM. Chairwoman Clark asked the Clerk to Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to Council read the Clerk's Report of Compliance with the Freedom of Information Act as follows: *In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.*

The information below was read for the executive session.

Motion to go into executive session with the addition of adding personnel to the Executive Session: Vice Chairman Dr. Brantley
Second: Councilman Kemp
Vote: Unanimous
The motion passed.

Executive Session SECTION 30-4-70.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

- (1) 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 - Coroner; Appointment Regional Housing Trust Oversight Board**
- (2) 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 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**

M – 10.17.2022

Jasper County Council

**adversary situations involving the assertion against the agency of a claim –
Election Matters; Exit 3; Cypress Ridge Spec Building Number 4; Coroner’s Office**

(5) 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 – Prospect Update; Update on the Peninsula Tract Development Agreement; Project Silver Star; Project Ice; Project Refurb

ANY EXECUTIVE SESSION MATTER ON WHICH DISCUSSION HAS NOT BEEN COMPLETED MAY HAVE DISCUSSION SUSPENDED FOR PURPOSES OF BEGINNING THE OPEN SESSION AT ITS SCHEDULED TIME, AND COUNCIL MAY RETURN TO EXECUTIVE SESSION DISCUSSION AFTER THE CONCLUSION OF THE OPEN SESSION AGENDA ITEMS. PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM EXECUTIVE SESSION.

Return to Open Session:

Motion to return to regular session: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Motions from Executive Session:

Move to authorize the Administrator to execute the real estate contract with Gopher Hill Holdings, LLC, as presented in Executive Session for the property at Cypress Ridge Industrial Park: Councilman

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

The Pledge of Allegiance was led by Councilman Sauls and the invocation was given by Councilman Kemp.

Approval of Agenda:

Motion to approve with the exception of Item Ordinance Item X-D until the next meeting:

Councilman Kemp

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Approval of the minutes of 07.13.2022, 07.18.2022 and 07.27.2022.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Proclamation and Presentations:

A: Duane Swygert, Joe Gellici and Rob Devlin – Presentation from SCDNR & DHEC to the Jasper County Council on October 17th relating to the water quality in Jasper County.

Mr. Duane Swygert, Joe Gellici and Jill Stewart were present to make a presentation from SCDNR & DHEC to the Jasper County Council relating to the water quality in Jasper County. Mr. Swygert made the introductions and started off the presentation. Mr. Gellici discussed how water is used in the capacity that 80% of water is used for electricity and 12% for drinking. He discussed the development of Water Plans with DHEC, Corps of Engineers and other Stakeholders. He said it is a 2 year process to get Water Plans developed. He covered some other components relating to water and then turned the meeting over to Ms. Stewart. Ms. Stewart discussed the areas of the Clean Water Act, DHEC's Mandates to Comply with the CWA, Water Quality, Water Body Classifications, Monitoring, Permitting, Regulatory and Non-regulatory Tools to Protect Water Quality, Stormwater, Clean Water Act State Revolving Loan Fund, Watershed Based Plans, 319 Grant Plans and Projects. Vice Chairman Dr. Brantley asked Ms. Stewart on a scale of 1-10 how safe the drinking water was for people. Ms. Stewart stated that this was different. She said what they deal with is water quality in the steams, water ways, etc. Councilman Sauls thanked Mr. Swygert and Ms. Stewart for attending the meeting. For further information on this presentation please go to our website and https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCjIA.

B: Chief Russell Wells – Presentation of the Pinning Ceremony for Lieutenant Allen Perry.

Chief Wells introduced Mr. Allen Perry and gave Allen Perry the Oath and Deputy Chief Vaughn gave his Charging Warrant for promotion to Lieutenant. Then the Pinning Ceremony was performed.

C: Chief Russell Wells – Presentation of the Pinning Ceremony for Lieutenant Chad Recchia.

Chief Wells introduced Mr. Allen Perry and gave Chad Recchia the Oath and Deputy Chief Vaughn gave his Charging Warrant for promotion to Lieutenant. Then the Pinning Ceremony was performed.

D: Director Arthur Benjamin – Presentation to Mr. Harry Orr, promoted to Detention Deputy Director from Captain.

Director Arthur Benjamin introduced Mr. Harry Orr and gave him the Oath which promoted Mr. Orr from Captain to Detention Deputy Director. Then the Pinning Ceremony was performed.

E: Director Arthur Benjamin – Presentation to Mrs. Beverly Orr, promoted to Detention Captain from Lieutenant.

Mrs. Orr was not able to be in attendance for this meeting and this item would be brought back to Council at a later time.

F: Wanda Simmons – Proclamation for Red Ribbon Week 2022.

Mr. Tedder read this proclamation for Red Ribbon Week 2022 for the record.

Motion to approve: Chairwoman Clark

Second: Councilman Sauls

Vote: Unanimous
The motion passed.

Open Floor to the Public per Ordinance 08-17- Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's 6PM start time on the Sign In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes per person and total public input will be limited to 30 minutes.

There were no public comments other than Mr. Woods thanking Council.

Resolutions:

A: David Tedder – Resolution #R-2022-25 Committing to Negotiate A Fee-In-Lieu Of Ad Valorem Taxes and Incentive Agreement Between Jasper County and Freedom Industrial Partners, LLC and Freedom Industrial Partners 2, LLC; Identifying The Project; and Other Matters Related Thereto.

Mr. Tedder was present to address and review the resolution committing to negotiate a Fee-In-Lieu of Ad Valorem Taxes and Incentive Agreement between the County and Freedom Industrial Partners, LLC and Freedom Industrial Partners 2, LLC. He noted that Administration requested the approval of this resolution.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

B: Alton Jenkins – Resolution #R-2022-26 A Resolution Supporting Operation Green Light for Veterans.

Mr. Alton Jenkins was present to address and review the resolution of support for Operation Green Light for Veterans. Councilman Kemp noted that the Council appreciated Mr. Jenkins.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Ordinances:

A: Lisa Wagner – 3rd reading of Ordinance #O-2022-27 to amend the Official Zoning Map of Jasper County so as to transfer a property located at 5787 Lowcountry Drive, bearing Jasper County Tax Map Number 083-00-03-057 from the Community Commercial Zone to the General Commercial Zone on the Jasper County Official Zoning Map.

Ms. Wagner was present to review and address this request. She reviewed information presented in the packet for Council. She also noted that this was the 3rd reading of the ordinance and that the public hearing and 2nd reading were held at the last meeting. She noted that this ordinance

recommends denial of amending the official zoning map.

The subject property consists of 4.08 acres and is located at 5787 Lowcountry Drive. The Applicant has requested a Zoning Map Amendment to have the properties designated as General Commercial. The subject property is currently zoned Community Commercial and is undeveloped. The applicant would like to have the property re-zoned to General Commercial to allow a business and to rent out some flex space. The applicant believes General Commercial is a better fit for the area.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. The adjacent parcels are zoned Mixed Business and Community Commercial with Industrial, Residential, Rural Preservation and General Commercial nearby. Adjacent land uses are Commercial and vacant property. The subject property is accessed by Lowcountry Drive (Highway 462), which is a two-lane state-maintained highway. The Planning Commission recommends denial of the request to have the property designated as General Commercial.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

B: Lisa Wagner – Public Hearing and 2nd reading of Ordinance #0-2022-30 to Amend Article 7:5, *Maximum Building Height*, of the Jasper County Zoning Ordinance, to allow increased building heights in certain areas where there is a public water distribution system and adequate fire-fighting equipment available in such areas, which is capable of fighting a structure fire safely.

Ms. Wagner was present to review and address this request. She reviewed information presented in the packet for Council. She also noted that this was the 2nd reading of the ordinance and the public hearing. Ms. Wagner noted that the purpose and intent of this proposed ordinance is to amend Article 7:5 of the Jasper County Zoning Ordinance, *Maximum Height* requirement. Currently, the maximum building height is 35', measured from the average finished grade elevation at the building line to the mean roof height. Recently, the planning staff has received inquiries and a request for a variance to increase the building height. The proposed ordinance will provide guidelines to allow certain projects to ask for an increase in building height not to exceed 50' and in all cases, each request would be reviewed by the Fire Chief or their designee to determine if the project site is located in an area where EMS has the ability to adequately fight a structure fire based on public water and firefighting equipment.

She noted that the proposed ordinance would amend the Jasper County Zoning Ordinance as follows (new language in red):

Article 7:5, *Maximum Height*:

Maximum building height in all districts is 35 feet. Height measurement shall be made from the average finished grade elevation at the building line to the mean roof height.

The maximum building height may be increased to 50 feet, measured from the average finished grade elevation at the building line to the mean roof height, in areas where there is a public water distribution system and the Fire Chief or their appointed designee, confirms that there is adequate firefighting equipment capable of fighting a structure fire available in such areas to safely accommodate the increased height.

Non-Habitable structures such as towers and flagpoles shall not exceed 35 feet in height measured from the average finished grade except where flags are expressly permitted in Article 15, Sign Standards.

Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the district height limit.

The Planning Commission reviewed this ordinance at their September 13, 2022 Meeting and recommends approval of the ordinance as presented.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Councilman Kemp noted that he did not feel this ordinance should be passed. He said a building could go up without the approval of Council and he said he felt the Council needed to look at all situations. He noted that the variance should stay there. Councilman Kemp said he would be voting no.

Vote: There were 3 yes votes and 1 no vote.

The motion passed.

C: Kimberly Burgess - 2nd reading of Ordinance #O-2022-31 amending the FY22/23 budget to provide for the expenditure not to exceed \$800,000.00 dollars from the Fund Balance for the purpose of renovations to the Jasper County Farmers' Market.

Ms. Burgess was present to address and review this request to amend the FY22/23 budget to provide for the expenditure not to exceed \$800,000.00 dollars from the Fund Balance for the purpose of renovations to the Jasper County Farmers' Market. She noted that this was the 2nd reading of the ordinance. She noted that this was the first project chosen to be constructed under the contract with M.B. Kahn. Councilman Sauls said this money was going to refurbish a community resource. Vice Chairman Dr. Brantley noted that anything that comes before Council is something they will need information beforehand and said we needed a workshop. Chairwoman Clark noted that Council had this information prior to this meeting and that we had a workshop with M.B. Kahan. Ms. Burgess noted that M.B. Kahn came to a Council Meeting on 08.15.2022 with this information and that at the end of that meeting Mr. Fulghum named the 3 projects that they were moving forward with. Mr. Fulghum noted that in the report that Council received each project was detailed there. Councilman Kemp noted that at the last meeting he had asked for the plans and there would be a workshop and we never voted on it for the work to be done. He said the Chairman requested after the meeting with M.B. Kahn that there be a workshop and he noted that \$800,000 for the Farmers Market was worth it when there were other things to be done. Mr. Fulghum noted that Council did need a workshop to go thru the M.B. Kahn report in detail. Chairwoman Clark said that a workshop would be held to review the M.B. Kahn report. Mr. Fulghum discussed how they had come to the decisions of the top three items that M.B. Kahn would be working on and reviewed what had happened at that meeting.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Mr. Tedder noted that a motion to reconsider can come to another meeting then it could be tabled, but that only one of the two nay votes can bring it up for reconsideration.

Vote:

Chairwoman Clark: Yes

Councilman Sauls: Yes

Vice Chairman Dr. Brantley: No

Councilman Kemp: No

The motion failed.

Motion to reconsider this item: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: 3 yes votes and 1 no vote by Councilman Kemp

The motion passed.

Motion to table till after a workshop: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: 3 yes votes and 1 no vote by Councilman Kemp

The motion passed.

D: David Tedder – Consideration of the **1st Reading** of an Ordinance To Establish, Pursuant To Section 4-1-170 Of The Code Of Laws Of South Carolina 1976, As Amended, A Multi-County Industrial/Business Park, In Conjunction With Jasper County, South Carolina; To Provide For A Written Agreement With Jasper County As To The Sharing Of The Revenues And Expenses Of The Park; To Provide For The Distribution Of Revenues From The Park Among Taxing Entities Having Jurisdiction Over The Park; To Provide For A Fee In Lieu Of Ad Valorem Taxation; And Other Matters Related Thereto. **(Project Freedom)**

This item was removed from the agenda.

E: David Tedder - Consideration of the **1st Reading** of an Ordinance Authorizing The Execution And Delivery Of A Fee-In-Lieu Of Tax Agreement By And Between Freedom Industrial Partners, LLC And Freedom Industrial Partners 2, LLC (The "Sponsors") And Jasper County, Whereby Jasper County Will Enter Into A Fee-In-Lieu Of Tax Agreement With The Company And Providing For Payment By The Sponsors Of Certain Fees-In-Lieu Of *Ad Valorem* Taxes; Providing For Special Source Revenue Credits In Connection With Such Agreement; Authorizing And Approving (1) 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 Hampton County (The "Park") Such Park To Be Geographically Located In Jasper County; (2) The Execution And Delivery Of A Written Park Agreement With Hampton County As To The Requirement Of Payments Of Fee-In-Lieu Of *Ad Valorem* Taxes With Respect To Park Property And The Sharing Of The Revenues And Expenses Of The Park; And (3) The Distribution Of Revenues From The Park Within Jasper County; And Other Matters Relating Thereto. **(Project Freedom)**

Mr. Tedder was present to review and present this request. He noted that this was the first reading of this ordinance for the execution and delivery of a Fee-In-Lieu of Tax Agreement between Jasper County and Freedom Industrial Partners, LLC and Freedom Industrial Partners 2, LLC.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

F: David Tedder – Consideration of the 1st Reading of an Ordinance authorizing the sale of TMS 048-00-01-029, approximately 10.62 acres, a portion of TMS 048-00-01-012, approximately 12.40 acres, and TMS 048-00-01-032, approximately 2 acres, to Gopher Hill Properties, LLC, or its assigns, and to authorize the Jasper County Administrator to execute such contracts, deeds and other documents as may be necessary and appropriate to effect the sale. (Project Refurb).

Mr. Tedder was present to review and present this request. He noted that this was the first reading of this ordinance authorizing the sale of TMS 048-00-01-029, approximately 10.62 acres, a portion of TMS 048-00-01-012 (approximately 12.40 acres), and TMS 048-00-01-032, (approximately 2 acres), to Gopher Hill Properties, LLC, or its assigns. Also to authorize the Jasper County Administrator to execute such contracts, deeds and other documents.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

G: David Tedder – 3rd reading of Ordinance #0-2022-18 to amend Chapter 27 of the County Code of Ordinances (Fees) to Authorize and Set Fees and Costs for the Coroner’s Office and Matters Related Thereto. (There was no second to the motion on 07.18.2022)

Mr. Tedder was present to review and present this request. He noted that this was held over from a prior reading and was brought back for final action of yay or nay.

Motion to approve the fees: Councilman Kemp

Second: Councilman Sauls

Vote: The vote was 3 to 1 with Vice Chairman Brantley voting no.

The motion passed.

New Business:

A: Andrew Fulghum – Appointment of Representative to Serve on the Regional Housing Trust Oversight Board

Mr. Fulghum noted that this was a need for the appointment of a representative to serve on the Regional Housing Trust Oversight Board. He said the appointment was needed by 11.01.2022 if possible. Chairwoman Clark said they was only 1 applicant and that applicant could not be on the board. This will be put back out to see if any others can be entertained to serve on the board.

Old Business: There was no Old Business for this meeting.

Council Members Comments:

Councilman Kemp said that he was wearing pink today in support of Breast Cancer Awareness. He also mentioned that the SCORE Minority Small Business event would be on the 26th at the Morris Center.

Vice Chairman Dr. Brantley said that since the last meeting he had attended the Funeral Services of David Lowther and asked for prayers for the spouse and family. He said that he had served on Council for 20 years.

Councilman Sauls said that on 10.26.2022 the Golf Tournament was being held and to contact the Chamber of Commerce for information. He mentioned that Hardee Greens would be establishing operations in Jasper County and that would bring jobs. He also mentioned the Gopher Hill Parade and the Hardeeville on Main Event. He also noted that the CJ Cup that was coming up this weekend and that this was great for our area.

Chairwoman Clark noted that she had attended the Gopher Hill Parade and the Hardeeville on Main Event, and that the shops were greatly enjoyed.

Administrator's Report:

Mr. Fulghum noted that his report was in the packet and he was available for questions. He said he did want to note two items:

1. Government Finance Officers Association (GFOA) Certificate of Achievement:

He said he had received a letter notifying him that your Fiscal Year Ended June 30, 2021 Annual Comprehensive Financial Report (ACFR) has qualified for GFOA's Certificate of Achievement in Financial Reporting. He noted that there were many thanks to Ms. Burgess and her staff for qualifying for this recognition and that they would properly recognize her for this achievement at a future County Council meeting.

2. Meyer Lake Tract Acquisition:

This initiative began several years ago, but now has full approval. The SCDNR Board had approved the acquisition of approximately 973 acres along the Savannah River utilizing a federal grant from the US Fish and Wildlife Service and funds from SCDNR's Heritage Land Trust Fund. The property is located four miles northwest of Hardeeville off of Purrysburg Road. Composed primarily of bottomland hardwood forest, the tract also contains upland bluffs, two tributaries, and a 10-acre lake.

Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II. There was no need to return to executive session for this meeting.

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

The meeting adjourned at 7:37pm.

Respectfully submitted:

M – 10.17.2022
Jasper County Council

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL

VIRTUAL WORKSHOP

Jasper County Clementa C. Pinckney Government Bldg

358 3rd Avenue Ridgeland, SC 29936

Friday, October 21, 2022

Minutes

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley
Councilman L. Martin Sauls, Councilman Pastor Alvin Adkins and Councilman John Kemp.

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons,
County Attorney David Tedder, Kimberly Burgess, Russell Wells, and Videographer Jonathan
Dunham.

Also Present: M.B. Kahn representatives Maggie Dittmar, Bill Ramsey and David Knight

Chairwoman Clark called the meeting to order at 8:30AM. Chairwoman Clark asked the Clerk to Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to Council read the Clerk's Report of Compliance with the Freedom of Information Act as follows: *In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.*

Vice Chairman Dr. Brantley led the Pledge to the Flag and the Invocation was led by Councilman Sauls.

Discussion of Capital Improvements and Investment Plan FY2023:

Mr. Fulghum noted that guests from M.B. Kahn were here for the Workshop. He then gave a history of the working relationship with them. He noted that there were many capitals facility needs and that staff had been working on those needs for decades as well as searching for funding. He noted that staff thought it was time to start a process where staff could work with Council each year on the Capital Improvements and Investment Plan for facilities and go thru them during the budgeting process, as these projects change, come off or are added. He noted that a process was started in April. He noted many discussions with M.B. Kahn, Council was asked by staff if they would consider funding a plan where staff could work with M.B. Kahn to come up with a plan for Council and Council approved that request. He said this plan had done this with M.B. Kahan and that M.B. Kahn had gone through the information given and came up with a one page summary which included cost on each project. He noted they were previously working on projects that had been costed out, however, with changes those costs have been increased so M.B. Kahn had worked on this to get up to date costs for each project. He noted there are 11 projects in the plan, and as M.B. Kahn said this is a living document which will change. The cost of the projects in the plan total 85 to 86 million but that have been identified initially. There are multiple and various funding sources being pursued, the financial advisor will be looking at ways to fund these projects. When the report came together, we

M – 10.21.2022

Jasper County Council

asked M.B. Kahn to present it and they did back in August. He noted it was a large bit of information and they wanted to explain this process, and that the intent after that meeting was to come back after in the next budget year and go through some of those. He said that based on some discussion at the last couple of meetings there was some disconnect in communication. Staff left that meeting in August believing that: This would be done in the upcoming year; Work would continue to further define the projects; and to Actively pursue three projects which were the Airport Projects, the renovations to the Pratt Memorial Library and the renovations to the Farmer's Market. The intent was pursue them just as past projects had been done, with the difference here being after they made the presentation to Council, with M.B. Kahn we were also simultaneously doing a request for proposal and changing the delivery method we do with Capital Projects and that was discussed with Council. He reviewed and discussed this process of requests for proposal, and delivery. He discussed the Marsh Cove Fire Station project and the process that had ensued.

Mr. Fulghum noted with project issues and current economics they knew it was time for a change, so they then discussed with Council the 3 basic delivery options had been covered being:

1. Design Bid Build Option
2. Design Build Option
3. Contractor Manager at Risk Proposal Option.

He noted that they had these discussions with Council and with a general consensus of Council it was decided to pursue the option of the Contractor Manager at Risk Proposal option. He mentioned that M.B. Kahn was one of those proposers and that staff reviewed the proposal, submitted recommendations to Council and the Council decided to move forward with M.B. Kahn for the Contractor Manager at Risk Projects.

He said staff was prepared to advance the previously discussed three projects with Council and in this process at some point Council would have to: agree on the project they wanted to do; approve appropriating the funds to do the project; and Council would authorize the project (as M.B. Kahn) is the Contractor based on the earlier decisions. The Council would then approve the project for M.B. Kahn for a maximum approved price for the project. However, we aren't there yet with any of these projects but are actively working to get there. He noted that staff's perception was they were working on those three projects and that all those things had to happen that were mentioned under the decided upon delivery method. This process was reviewed completely as Mr. Fulghum explained.

Ms. Dittmar said Mr. Fulghum had covered everything. She noted that some projects are already pretty far into the design process due to previous work done on those projects. As new projects come on board, she noted it will be more streamlined. She discussed how this would all unfold. Vice Chairman Dr. Brantley asked if they could share the renovations planned for the Farmer's Market. Mr. Fulghum referred to the report on page 22 in case Council wanted to look that over as M.B. Kahn gave the overview of the project. Mr. Ramsey noted this was one of the projects that were already in design in they got this contract with Council. Ms. Dittmar discussed what their process was on this and the renovations to the overall project inclusive of what they had already been given, as well as other things that needed to be done. Councilman Kemp noted that he wanted to discuss that in his priorities the Farmer's Market was low on his priority list as there were other projects that needed to be done first. He said we really didn't get a benefit from this project and there was no contract, and no contribution from the Chamber on this project. He discussed what he thought the options were. He said each project affected other projects that were outstanding in need. He said the Council needed to talk about all of the projects, not just one project. He discussed

M – 10.21.2022

Jasper County Council

problems in other areas throughout the County for other needed projects that needed to be done. Councilman Sauls thanked M.B. Kahn and everyone for the workshop, and he noted that there are other projects that also need to be focused on as Councilman Kemp mentioned. He said some projects may just come up first before another because each project was important and needed to be done. He said we are trying to keep everything up, get to all projects that needed to be done, noting that was why Council selected M.B. Kahn. Chairwoman Clark said we are behind on renovations and improvement, but at times there just wasn't the money to do it at that time. She said for places that the taxpayers use it is necessary to get those done for the taxpayers, then we move on to the next project. She said that M.B. Kahn had given them a packet to work on. Councilman Kemp discussed the funding we already have for the Airport and the Platt Memorial Library projects. Mr. Fulghum said this would be a good discussion to have at the budget planning process to review and see if there is a chance to set priorities at that time for upcoming projects. For further information please go to https://www.youtube.com/channel/UCBmlqX05cKAsHm_ggXCjIA . Also, a copy of this entire plan had been provided to the Council by M.B. Kahn and a copy of this plan is attached to the minutes in its entirety as Attachment "A".

Adjourn:

Motion to adjourn: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed. The meeting adjourned at 9:14 am.

Respectfully submitted:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman

AGENDA ITEM:

VII

Presentations and Proclamations

AGENDA ITEM:

VII

Presentation Item A

AGENDA ITEM:

VII

Proclamation A

Proclamation

Childhood Cancer Awareness Week

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15, with this tragic disease detected in more than 16,000 of our country's young people each and every year, and an estimated 400,000 children and adolescents are diagnosed with cancer globally each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer, with many infants, children and teens suffering from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc., founded nearly thirty years ago by Steven Firestein, a member of the philanthropic branch Max Factor cosmetics family, along with Lions Clubs International are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at MUSC Shawn Jenkins Children's Hospital, MUSC Health Storm Eye Institute in Charleston, Beaufort Memorial Hospital in Beaufort, Memorial Health - Daniel and Cynthia Willett Children's Hospital of Savannah, St. Joseph's-Candler Hospital in Savannah, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor toy distributions, pet-assisted therapy, family sailing programs, KCC Supercar Experience, Laughternoon - Laughter is Healing, positive appearance programs, educational programs and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW THEREFORE, BE IT RESOLVED AND PROCLAIMED, that Jasper County declares *February 19 - 25, 2023*, as Childhood Cancer Awareness Week in Jasper County.

This Proclamation adopted this 17th day of January, 2023, by Jasper County Council duly assembled.

L. Martin Sauls, IV, Chairman

Attest: _____
Wanda Simmons, Clerk to Council

(Seal)

AGENDA ITEM:

VIII

Public Comments

AGENDA ITEM:

IX

Resolution: Item A

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION NUMBER R-2023-02

RESOLUTION OF JASPER COUNTY COUNCIL confirming the procurement of construction services to renovate the Coroner's office at 1504 Grays Highway Suites B and C per Cleland Building Solutions estimate #EST269 dated January 4, 2023 pursuant to Section 2-412 of the Jasper County Code of Ordinances to provide for emergency procurements.

WHEREAS, normal procurement procedures under Section 2-407 (e) requires that all single purchase items or services in the amount of or excess of \$10,000 shall use formal bid process, a process likely to take more time than is desirable considering the deteriorating condition of the Coroner's temporary facilities; and

WHEREAS, Jasper County has provided in the Jasper County Purchasing and Contracting Ordinance ("Purchasing Ordinance"), pursuant to Section 2-412, for emergency procurement that the chief purchasing officer with the concurrence of the County Administrator, may make emergency procurement when there exists a threat to public health, welfare, or safety under emergency conditions or where normal daily operations are affected; provided, that such emergency procurement shall be made with such competition as is practical under the circumstances; and

WHEREAS, Jasper County finds that the need to provide a safe workplace and an ADA compliant office for the Coroner creates an emergency procurement circumstance justifying a departure from normal procurement procedures; and

WHEREAS, Jasper County reached out to local contractors to provide an estimate of the cost and time required for the renovation of the Coroner's office at 1504 Grays Highway Suites B and Co; and

WHEREAS, one local contractor responded to the request to meet with the Building Maintenance Manager at the site and provide an estimate; and

WHEREAS, Cleland Building Solutions provided estimate #EST269 for the renovation of the framing, painting, sheetrock, carpet, trim and an entrance way cover in the amount of \$32,583.00.

WHEREAS, the chief purchasing officer along with the County Administrator recommend that the Jasper County Council accept the Cleland Building Solutions estimate and authorize the County Administrator to execute all documents required to perform the renovations; and

WHEREAS, Jasper County Council finds and confirms that for the reasons stated above, justify an exception to the purchasing procedures required in the Procurement Ordinance as constituting emergency circumstances;

NOW THEREFORE, BE IT RESOLVED by Jasper County Council, in the council duly assembled and by the authority of the same, and adopting the foregoing as its findings, that 1) it is in the best interest of the County and its citizens to approve an exemption from the Purchasing Ordinance, finding the matters in the recitals above constitute emergency circumstances, 2) that Jasper County Council accepts the Cleland Building Solutions estimate in the amount of \$32,583.00, and 3) that Jasper County Council hereby authorizes the County Administrator to execute all documents necessary to complete the renovations of the Coroner's office and 1504 Grays Highway Suite B and C.

This Resolution No. R-2023-02 made this 17th day of January, 2023.

L. Martin Sauls, IV.
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

Reviewed for form and draftsmanship by the Jasper County Attorney:

David Tedder

Date

Cleland Building Solutions

ESTIMATE

Trevor Cleland
(843) 226-6624
trevorcleland@icloud.com
P.O. BOX 2444 Ridgeland SC 29936

Bill To
Jasper County Cornor

Estimate #EST269
Issued 01/04/2023

Description	QTY	Price, USD	Amount, USD
Carpet Materials Includes: Transition Strip, Self-leveler, Primer, Glue	1	\$1,269.00	\$1,269.00
Carpet Labor	1	\$619.00	\$619.00
Sheetrock Materials	1	\$2,256.00	\$2,256.00
Sheetrock Labor	1	\$5,850.00	\$5,850.00
Trim Includes: Square edge trim top and bottom, Doors	1	\$2,780.00	\$2,780.00
Trim Labor Includes: Removal of old trim and replacement	1	\$4,000.00	\$4,000.00
Framing Materials	1	\$377.00	\$377.00
Framing Labor	1	\$1,650.00	\$1,650.00
Entrance Way Cover Includes: Side private wall materials and labor	1	\$6,800.00	\$6,800.00
Painting Includes: Trim and Walls	1	\$6,982.00	\$6,982.00
		Subtotal	\$32,583.00

Total	\$32,583.00
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