



JASPER COUNTY COUNCIL
COUNCIL MEETING

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

March 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, Lisa Wagner, Dale Terry, and
Videographer Jonathan Dunham.

Also Present:

Chairwoman Clark called the meeting to order at 5:04PM. 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: Councilman Sauls
Second: Councilman Adkins
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 - Ridgeland Claude Dean Airport; Appointments to the Accommodations Tax Committee

(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 a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim - Election Matters; Exit 3; Marsh Cove Fire Station Project (C. Merrill Construction; Woods Dendy Architectural); Levy Volunteer Fire Department

(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 – Project Silverman; Jasper Ocean Terminal (JOT); Prospect Update;

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 Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

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

Approval of Agenda:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Approval of the minutes of 02.07.2021:

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Presentation and Proclamations:

A: Sandy Steele - Jasper County Check Presentation - Project Riddler

Sandy Steele was present to address this request. She introduced Mr. Rich Knowles with Hargray. They noted that Hargray was proud to present a check for Project Riddler (at the site prep building). The check for \$40,000 was to support the local economy to Jasper County. Council thanked them for this investment into the County.

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 and total public input will be limited to 30 minutes.

Mayor Williams was present to speak. He noted that the City of Hardeeville was presented who are the project consisting of 1100 acres. He noted that they did not want to proceed without discussing it with Beaufort County, the Town of Bluffton, and Jasper County. In order to give everyone a chance to voice their opinion he noted, on March 28th at 1:30 PM the City of Hardeeville would be hearing from the developer for anyone that wish to attend.

Carrie Fair was present to speak. Ms Fair noted that she was here to speak about concerns in the Robertsville Township. She said on behalf of the concerns of the residents for the drivers who drive on these roads at South Carolina State Highway 601 and 462 they were requesting a traffic light. She noted they had contacted the local Department of Transportation office in Charleston and their response had been to put in a stop sign and to increase the police patrol. She noted that SC462 has the highest number of fatalities and that this was the primary road connecting 601. She noted they would like the County Council to put a sign on Hwy 462 to decrease speed mileage at Hwy 601. They would also like a red light put at Highway 462 and a caution light put on Highway 601. She asked that the County Council speak on their behalf with the Department of Transportation to see what they can do to assist the residents.

Walter Pinckney was present to speak. Mr. Pinckney noted that he agreed with everything Ms. Fair had to say because there are a lot of accidents there he said he had spoken with the Sheriff's Department and that he was told they have been putting officers there as much as possible. He noted that they needed Council's support on this matter to get any further on their request. Chairwoman Clark stated that Highway 462 is a state highway and is out of the County Council's hands as far as jurisdiction. She noted that they would send the letter of support to the Department of Transportation and that Mr. Fulghum would follow up with them.

Resolutions:

A: [Kimberly Burgess](#) - Resolution # [R-2022-05](#) to provide preliminary authorisation for the Funding for Capital Improvements at the Ridgeland-Claude Dean Airport; to Declare the Intent of County Council to Reimburse Jasper County for expenditures relating to the Ridgeland-Claude Dean Airport Capital Improvements from Proceeds of Tax-Exempt Obligations; to authorise the County Staff to proceed with structuring the Financing for the Ridgeland-Claude Dean Airport Capital Improvements; and to provide for Other Matters Relating Thereto.

Ms. Burgess was present to address and review this request with Council. She noted that the term of the grant was for 18 months beginning in January of 2022. She also noted that there are a couple of options that they are considering.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: [Andrew Fulghum](#) - Resolution # [R-2022-06](#) to declare certain property to be surplus and authorize its sale or disposition - Public Works open top containers and miscellaneous computer and peripheral equipment.

Mr. Fulghum was present to address and review this request with Council. He noted that this resolution was to declare surplus property and to sell it as our procurement policy allows.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Ordinances:

A: Lisa Wagner –Public Hearing and consideration of a 2nd Reading of Ordinance # 0-2202-03 to adopt Planned Development District Zoning for two tracts of land consisting of approximately 226.94 acres, bearing Jasper County Tax Map Numbers 041-00-02-010 and 041-00-02-012 and known as 95 Logistics Center.

Ms. Lisa Wagner was present to address this request. She noted that the Applicant has submitted a request for a Planned Development District (PDD) zoning designation for a business park and distribution center, which will be known as 95 Logistics Center. Included with the Zoning Map Amendment application is a PDD document, Concept Plan, and associated Development Agreement. The project site consists of two parcels, totaling 226.94 acres and is located along Highway 17 and I-95 just south of Highway 278. The property is currently zoned Rural Preservation and is undeveloped.

Analysis: The PDD, regulations are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree and are designed to control unscheduled development on individual lots or tracts, promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce a better environment. In view of the substantial public advantage of “planned development,” it is the intent of the PDD regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, particularly in large undeveloped tracts. All PDD’s shall conform to the Jasper County Comprehensive Land Use Plan and Land Use Map (latest edition).

- The Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by the municipality. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation.

The Land Use Chapter of the Comprehensive Plan recommends guiding growth and new development in or around the municipalities where infrastructure and services are available to serve new growth. The Land Use Chapter also states, *“attracting new business and industry is an important component of economic development in Jasper County.”*

One of the goals identified in the Economic Chapter of the Comprehensive Plan is to *develop competitive industrial sites and buildings, particularly those focusing on communications, technology, distribution, energy and telecommunications. Efforts should include development of a megasite within the region to attract large industries.*

- **Adjacent Zoning and Land Uses:** Figure 1 below shows the project location and Table 1 shows the adjacent land uses and zoning designation:

Table 1. Adjacent Land Uses and Zoning Designations

Adjacent Property	Existing Uses	Zoning	City or County
North	Vacant	Highway Commercial	City of Hardeeville
South	Residential and Vacant/ Vacant	General Commercial and Residential/ Rural Agriculture	Jasper County/ City of Hardeeville
West	Vacant and Automotive Repair	General Commercial	Jasper County
East	I-95	Right-of-Way	SCDOT

- **Traffic and Access:** The subject property is accessed by Whyte Hardee Boulevard (Highway 17), which is a two-lane state-maintained highway, classified as a major thoroughfare.

The 95 Logistics Center Concept Plan illustrates the proposed use, the general layout, and access points. A Master Plan will be submitted separately and will provide additional information regarding the proposed layout of the development.

The proposed PDD will establish the following:

- **Access Points** – two full access points on Whyte Hardee Boulevard (Highway 17). Page 14 of the PDD document has been revised to include a provision for the truck traffic to turn right heading north on Highway 17 when leaving the property.
- **Allowed Land Uses** – distribution, light industrial, and utility substation.
- **Density** – a maximum density of 2.6 million s.f. of distribution warehouse.
- **Open Space** – a minimum of 15% open space based on total acreage with only 50% of freshwater wetlands, lagoons, ponds, and lakes counting towards open space.
- **Setbacks and Buffers** – building setbacks and natural buffer from Highway 17 and I -95 will be 50’ and 25’ from adjacent property lines to the north and south. Where light industrial uses and permitted uses may be allowed, a minimum 50’ buffer will be provided from adjacent residential uses that are not separated by a road right-of-way or wetland of equal width.
- **Tree Preservation Standards** – 15 trees per acre within the Master Plan areas.
- **Landscaping Standards** – that will meet or exceed the County’s requirements.

The 95 Logistics PDD and Concept Plan meets all of the requirements for a PDD *Application and Concept Plan* as outlined in Article 8:1.7 of the Jasper County Zoning Ordinance.

A public hearing was held on February 22, 2022.

This project could greatly benefit the citizens of Jasper County by strengthening Jasper County’s economy and providing permanent employment opportunities in the County. The PDD application is supported by the Comprehensive Plan; as such, Planning Commission, by majority, recommends approval of the PDD designation, the PDD document, and the Concept Plan with the following conditions:

- A letter of intent to serve from the telecommunication provider must be provided prior to or at time of Master Plan application submittal.

The public hearing on this item was opened by Chairwoman Clark for comment. Mayor Harry Williams was present to comment on this item. He noted that he asked that as Council prepare to approve that he had some points of consideration. He noted that at the workshop Council had been shown the traffic on Whyte Hardee Blvd and he felt than an accurate depiction was not accurately noted. He referred to the difficulty of traffic lights being installed. He also mentioned items that he thought should be put into the Development Agreement. The public hearing was closed.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: David Tedder - Public Hearing and consideration of a 2nd Reading of Ordinance # 0-2202-04 approving a Development Agreement for 95 Logistics Center pursuant to the South Carolina Local Government Development Agreement Act and Article IV, Title 20 of the Code of Ordinances of Jasper County and authorizing the Chairman of Jasper County Council to execute said Development Agreement.

Mr. Tedder presented this item for review and consideration by Council for the 2nd reading. He noted that an extensive workshop was held prior to this meeting. He also noted that a red line copy of the DA was included in the Council packet.

The public hearing on this item was opened by Chairwoman Clark for comment. There were not comments. The public hearing was closed.

Motion to approve with the substitution of the revised agreement as discussed: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C: David Tedder - Consideration of 1st Reading by TITLE ONLY of an Authorizing the execution and delivery of a Fee In Lieu Of Tax and Incentive Agreement By and Between Jasper County, South Carolina (The "County"), SL Hardeeville Industrial Park, LLC, acting for itself, One Or More Affiliates, and/or Other Project Sponsors (Collectively, The "Company"), whereby The County will enter into a Fee-In-Lieu Of Ad Valorem Tax Agreement with The Company and providing for payment by The Company of Certain Fee-In-Lieu of Ad Valorem Taxes; providing for such Special Source Revenue Credits in connection with such Agreement; providing for allocation of such Fees-In-Lieu of Taxes payable under The Agreement for the establishment of a Multi-County Industrial/Business Park; providing for the establishment and/or expansion of certain facilities in The County (The "Project") in a Multi-County Industrial/Business Park; the Benefits of a Multi-County Industrial Or Business Park to be made available to The Company and The Project; and (4) Other Matters Relating Thereto.

Mr. Tedder presented this item for review and consideration by Council for the 1st reading by Title Only as we did not have all of the parameters at this time. He noted there would also be an incentive agreement that will also come forward.

Motion to approve: Councilman Sauls
Second: Vice Chairman Dr. Brantley
Vote: Unanimous
The motion passed.

New Business:

A: Dale Terry – Rock bid for Public Works Dept.

Mr. Terry presented and reviewed this request for Council. He said they had received money for this project from the Transportation Committee.

Motion to approve: Councilman Sauls
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

B: Andrew Fulghum – Request for Financial Support from the Jasper County Chamber of Commerce for State House Day.

Mr. Fulghum was present to address and review this request for Financial Support from the Jasper County Chamber of Commerce for State House Day. He noted that he received a letter from Kendall Malphrus asking for financial help State House Day. Mr. Fulghum mentioned that in the past Council had given them \$2500.00 from the discretionary funds. Councilman Kemp said that this was money well spent. Chairwoman Clark stated that she was going this year and the Clerk to Council Wanda Simmons would also be going up to assist.

Motion to approve: Vice Chairman Dr. Brantley
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

C: Andrew Fulghum – Proposal from Parker Poe Consulting for FILOT and GASB 77 Compliance.

Mr. Fulghum as present to address and review this request for Council. Mr. Fulghum said he was excited to say that he thought they had found the right firm for professional services to help out with these items and keep us in compliance. He noted that they currently have about 25 agreements at this time. He requested that Council approve this proposal.

Motion to approve: Councilman Sauls
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

D: Kimberly Burgess – Appointments to the Jasper County Accommodations Tax Advisory Committee.

Ms. Burgess was present to address and review this request with Council. She noted that this Committee was a requirement to have. (Attachment A)

Motion to approve: Councilman Adkins

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

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

Council Members Comments:

Councilman Sauls:

Councilman Sauls asked that everyone keep the family of Deputy Rivers in their thoughts and prayers. He noted that he was thankful for Deputy Rivers service to the County. He mentioned the Chamber of Commerce's Jasper on the Move event and the State House Day event. He noted that the State of the County luncheon had went well. He said the speakers Chairwoman Clark, Mayor Williams and Mayor Malphrus had done a very good job.

Councilman Adkins:

Councilman Adkins gave all honor to Christ and offered his condolences to the Brantley and Rivers families. He spoke fondly of Greg Rivers and mentioned that he had taught Deputy Rivers martial arts for 4 years because he wanted to learn. He asked everyone keep his family in prayer and he said he would pray for theirs.

Vice Chairman Dr. Brantley:

Vice Chairman Dr. Brantley thanked everyone for their compassion and outreach to him and his family during this difficult time. He said he gave a special thanks to our Chairperson and to Council and staff during this time. He also offered a special thanks to Sheriff Hipp and his deputies as they performed admirably. He said from the Brantley Family they sent their sincerest thanks. He noted that his brother Clifford Brantley had been the very first black Sheriff in Jasper County and was the 1st black elected Sheriff in the State of South Carolina. He thanked everyone again and asked blessings over all.

Councilman Kemp:

Councilman Kemp expressed his condolences to the Brantley and Rivers families. He noted that he had met with James Williams of the EOC for action in the neighborhoods. He said they talked about communication and 211. He urged everyone to go by Jasper Park and see the Zip line and flowers that Cliff South was putting in. He discussed Higher Education and that he wants Jasper County to make that a priority. He said that there was a meeting on April 2nd at the Recreation Hall in Levy and mentioned that April 9th was Tarboro Day.

Chairwoman Clark:

Chairwoman Clark asked that everyone keep the Brantley and Rivers families in their thoughts and prayers. She noted that the Brantley family had lost 4 family members in 3 months and asked that people keep lifting them up in prayer. She asked for everyone to lift her up in prayer to steer the Council in the right direction. She asked that there would be no meeting on April 18th due to the fact it is Easter Week. Council agreed with her request.

Administrator's Report:

Mr. Fulghum noted that his report was in the packet. He asked Chief Wells to give a COVID report update. Chief Wells noted that the positivity rate was 4.5% for the State of SC and at 11.5% for Jasper County. He noted that since the last report there had been 67 fewer tests and the number of tests continue to go down. He said that now the weekly updates were coming every Tuesday. He provided testing site information.

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: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

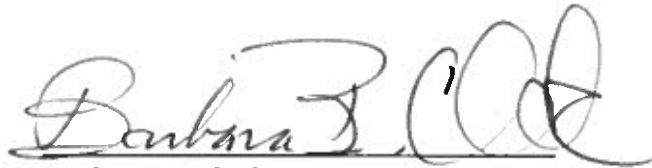
The motion passed.

The meeting adjourned at 7:17PM.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council



Barbara B. Clark
Chairwoman



Jasper County Finance Department

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Kimberly Burgess, CPA
Director of Administrative Services
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Jasper County Council Appointment of Jasper County Accommodations Tax Advisory Committee

Meeting Date:	March 21, 2022
Subject:	Presentation of the slate of volunteers who have agreed to participate in the accommodations tax disbursement process has a member of the Jasper County Accommodations Tax Advisory Committee.
Recommendation:	Staff recommends that the Council accept the slate of volunteers to serve as members of the Jasper County Accommodations Tax Advisory Committee for the FY 22-23

Description: The following is from the South Carolina Cod of Laws Title 6- Local Government—Provisions Applicable to Special Purpose Districts and Other Political Subdivisions.

SECTION 6-4-25. Advisory Committee; guidelines for expenditures; annual reports; reports to Accommodations Tax Oversight Committee.

(A) A municipality or county receiving more than fifty thousand dollars in revenue from the accommodations tax in county areas collecting more than fifty thousand dollars shall appoint an advisory committee to make recommendations on the expenditure of revenue generated from the accommodations tax. The advisory committee consists of seven members with a majority being selected from the hospitality industry of the municipality or county receiving the revenue. At least two of the hospitality industry members must be from the lodging industry where applicable. One member shall represent the cultural organizations of the municipality or county receiving the revenue. For county advisory committees, members shall represent the geographic area where the majority of the revenue is derived. However, if a county which receives more in distributions of accommodations taxes than it collects in accommodations taxes, the membership of its advisory committee must be representative of all areas of the county with a majority of the membership coming from no one area.

(B) A municipality or county and its advisory committee shall adopt guidelines to fit the needs and time schedules of the area. The guidelines must include the requirements for applications for funds from the special fund used for tourism-related expenditures. A recipient's application must be reviewed by an advisory committee before it receives funds from a county or municipality.

(C) Advisory committees shall submit written recommendations to a municipality or county at least once annually. The recommendations must be considered by the municipality or county in conjunction with the requirements of this chapter.

The list of volunteers who have agreed to serve on the Jasper County Accommodations Tax Advisory Committee for Fiscal Year 22-23 are as follows:

Name	Business and Location
William "Bill" Olendorf	Point South KOA Campground, Yemassee, SC
Rajan Kapadia	Best Western (Parr 4 Hospitality), Yemassee, SC
Peach Morrison	Lowcountry & Resort Islands Tourism Commission, Yemassee, SC
Kendall Malphrus	Jasper County Chamber of Commerce, Ridgeland, SC
Chris Cornell	Tailgaters Bar & Grill, Hardeeville, SC
Claud Dinkins	Point South Partners, Ridgeland, SC
Mauricio Llambias	Goal Soccer, LLC, Ridgeland, SC

Recommendation: Staff recommends that the Council accept the slate of volunteers to serve as members of the Jasper County Accommodations Tax Advisory Committee for the FY 22-23.