



JASPER COUNTY COUNCIL
Workshop and

COUNCIL MEETING

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

June 27, 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 5:02PM. 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.*

There were no workshop items or topics for this meeting.

The information below was read for the executive session.

Motion to go into executive session with the addition of adding personnel under paragraph

(a) subsection item (1): Councilman Sauls

Second: 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 – Personnel

(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; MissionSquare Retirement Governmental Money Purchase Plan Adoption Agreement; Jane Doe vs Jasper County and the Sheriff's Department; Marsh Cove Fire Station; Consideration of conflict waiver with Burr Forman -HCP Partners, LLC

(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; Chelsea South; CSP Development; Bailey Park PDD; Frampton Tract Development Agreement; Stevenson Purchase Proposal

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 open session: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Motions from Executive Session:

Motion to authorize the County Administrator to renew and cancel retirement plans as necessary to transition from ICMA RC to Mission Square Retirement as discussed in

Executive Session: Councilman Sauls

Second: Chairwoman Clark

Vote: Unanimous

The motion passed.

Motion to authorize the County Administrator to execute the conflict waiver with the law firm of Burr Forman as discussed in Executive Session: Councilman Sauls

Second: Councilman Adkins

Vote: All votes were yes except Councilman Kemp who abstained.

The motion passed.

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

Approval of Agenda:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Approval of the minutes of 05.02.2022:

**Motion to approve with the minutes amended to include exhibit B: Councilman Sauls
Second: Vice Chairman Dr. Brantley**

Vote: Unanimous

The motion passed.

Presentation:

A: Chairwoman Clark – Presentation of a new van to the Coroner’s Office.

Coroner Aiken was invited to attend the meeting in order to be presented with a Van from Council for the Coroner’s Office. Chairwoman Clark said he had expressed concern about needing a reliable vehicle to do his job. She noted that there is now a brand-new van sitting outside and Council planned to present the keys to him tonight. She noted that they would leave the keys to the van for the Coroner’s Office with Mr. Fulghum for delivery to the Coroner’s Office.

B: Chief Magistrate Catherine Badgett – Overview of the Magistrate’s Office.

Chief Magistrate Catherine Badgett was present to address this request. She introduced Judge Lee who is the Associate Chief Magistrate. She gave a brief overview of their office. She noted that most people recognize them as traffic court but mentioned that they have jurisdiction over criminal cases as well. She discussed the purpose of providing this information to the Council was to disseminate the information regarding what their office does; to provide information on the limited office and court space; that there are more Magistrates without office space; and she discussed the concern for courtroom security and the security at the Adams Street office. Councilman Brantley asked how many assistants they have and Chief Magistrate Badgett stated that Judge Lee on Adams Street has 4 clerks and then there is Judge Edwards on Bond Street and 2 new judges there they are 6 total judges. Councilman Sauls thanked the Magistrates for the jobs that they do. He noted that Council is concerned for the security of the public, the magistrates and the clerks.

Coroner Aiken appeared in the Council Chambers and Chairwoman Clark called him up. Chairwoman Clark said he had expressed concern about needing a reliable vehicle to do his job and noted that they wanted to present him with the brand new van for the Coroner’s Office and asked Mr. Fulghum to give him the keys. Coroner Aiken asked that Mr. Fulghum hold the keys and noted that the vehicle had been purchased without the Council contacting him and. He noted that this was purchased without his consent and they did not know what he needed.

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 at this time on matters pertaining to County Services or Operations.

X. Resolutions:

A: Russell Wells – Resolution # R-2022-15 approving an IGA with the Town of Ridgeland regarding Fire Protection and Emergency Services.

Chief Wells was present to address and review this item with Council. Chief Wells stated that this was a 2 year extension of the fire coverage contract to cover 06.22.2022 and ending on 06.30.2024 they are asking for the administrator to be able to execute the agreement. Councilman Sauls asked if the Town of Ridgeland was in agreement and Chief Wells said they were.

Motion to approve the IGA with the Town of Ridgeland: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Russell Wells – Resolution # R-2022-16 to confirm such and appoint David Murphy as the Code Enforcement Officer and Litter Control Officer for Jasper for the proper security, general welfare, and convenience of Jasper County.

Chief Wells was present to address and review this item with Council. He reviewed the resolution's information with Council.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

XI: Ordinances:

A: David Tedder – 3rd reading of Ordinance #0-2022-16 to adopt Planned Development District (PDD) Zoning for a tract of land consisting of approximately 38.84 acres, bearing Jasper County Tax Map Number 041-00-03-030, located along Highway 278, approximately 2 miles east of I-95, Exit 8, and known as CSP Development PDD.

Mr. Tedder was present to address and review this item with Council. Mr. Tedder stated that there had been two readings and a public hearing on this item. He noted that this was a 265 residential rental unit complex. He noted that the traffic study had been completed and that there were no changes between the second and third readings.

Motion to approve: Councilman

Second: Councilman

Vote: Unanimous

The motion passed.

B: David Tedder – Public hearing and 3rd reading of Ordinance #0-2022-14 approving a Development Agreement for (CSP) Conduit Street Partners Development pursuant to the South Carolina Local Government Development Agreement Act and authorizing the Chairman of Jasper County Council to execute said Development Agreement.

Mr. Tedder was present to address and review this item with Council. The public hearing was opened at 6:55 PM but there was no public input so the public hearing closed at 6:55 PM.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: All votes were yes except Councilman Kemp who voted no

The motion passed.

C: David Tedder – Public Hearing Only of an Ordinance approving a Development Agreement for Chelsea Plantation LLC pursuant to the South Carolina Local Government Development Agreement Act and authorizing the Chairman of Jasper County Council to execute said Development Agreement.

This item was for public hearing only. The public hearing opened at 7:16pm and closed at 8:05pm. The following parties spoke for their concerns of the item and against the project:

Walter Morgan

William Young

Grant McClure

Russell Fredericks

Ann Orey

Sissy Adams

Connie Orey Horton

Milton Woods

Jacqueline Cannon

Janet Orey Shawnhoff

Smitty Cooler

Mr. Cook

The following parties said they were only here to listen about this project:

Maria Hernandez

Attorney Nicole Scott said that there had been 5 public hearings with 2 public hearings on the PDD and 3 public hearings on the DA. She noted that they would like to address these comments at Council's preference. She said they would like to schedule a workshop to discuss traffic and environmental issues with Council.

D: David Tedder – Consideration of a 1st reading of an Ordinance approving a Development Agreement for HCP Partners, LLC (Mcgraw Properties, LLC and Terry R. Lee, Owners) pursuant to the South Carolina Local Government Development Agreement Act, and authorizing the Chairman of Jasper County Council to execute said Development Agreement.

Mr. Tedder was present to address and review this item with Council. Mr. Tedder said that there had been public hearings in July and August. He noted that staff recommends the DA because it offers the County a better control. He noted this is based on our

Industrial Development Agreement on a 5-year term. He mentioned that the traffic study will be forthcoming and that the DA provides for an updated traffic analysis.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: All votes were yes except Councilman Kemp who voted no.

The motion passed.

E: David Tedder – Consideration of a 1st reading of an Ordinance by 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 HCP Partners, LLC, 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.

Mr. Tedder was present to address and review this item with Council. Mr. Tedder said that this relates to the previous two properties that we spoke of. He discussed the Special Source Revenue Credits. He noted that they had consulted with the SCA on the ordinance before the first reading. Councilman Kemp said it says 1 or more locations. Mr. Tedder said that it was more than one project.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

F: David Tedder – Consideration of a 1st reading of an Ordinance to amend the Frampton Tract Development Agreement by granting a Second Five Year Renewal, modifying the Developer Fee Section, to make certain text amendments, and matters related thereto.

Mr. Tedder was present to address and review this item with Council. Mr. Tedder said this was to approve the DA for its 2nd five-year renewal.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: All votes were yes except Councilman Kemp who voted no.

The motion passed.

G: David Tedder – 2nd 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.

Mr. Tedder was present to address and review this item with Council. Mr. Tedder said at the previous meeting the first reading was held and no changes had been made to the document from the first reading to the second reading. He noted that staff recommended the adoption of the fee schedule

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

H: David Tedder – Consideration of a 1st reading of Ordinance to Amend Chapter 26 of the County Code of Ordinances (Taxation) to provide for the Reduction in Value of a Boat and its Motor by Forty-Two and 75/100 Percent of its Fair Market Value for the purpose of Personal Property Taxation (Providing that this Ordinance does not apply to Boats or Watercraft which are used as a Primary or Secondary Residence receiving a 4% Or 6% Tax Rate), and Matters Related Thereto.

Mr. Tedder was present to address and review this item with Council. Mr. Tedder noted that this ordinance mimics the state ordinance.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

I: Kimberly Burgess – 3rd reading of Ordinance [#O-2022-17](#) To provide for the levy of tax for public purposes in Jasper County for the fiscal year beginning July 1st, 2022 and ending June 30th 2023 and to make appropriations for said purposes; to adopt and approve the Jasper County capital and operations budget for fiscal year 2022-2023, to adopt and approve the Jasper County School District capital and operations budget for fiscal year 2022-2023; to provide for the levy of taxation for fiscal year 2022-2023; to limit the disbursements by the county treasurer to those appropriated by law; to provide that expenditures not exceed appropriations; to authorize tax anticipation notes; to make authorization of certain transfers; to provide for additional appropriations and borrowing; to codify Jasper County rates and fees; to provide for lapsing funds and continuing appropriations for subsequent years; to require certain agencies and departments to file accountings; to require the treasurer to sign general fund checks; to provide special rules for travel and training disbursements; to provide for travel reimbursements; to provide compliance with act no. 317 of 1990; to provide certain benefits to council members; to provide for county commission and committee stipends; to provide for jury mileage; to adopt property values; and to provide for effective date of this ordinance.

Ms. Burgess was present to address and review this item with Council.

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Vote: As follows:

3 yes votes – Councilman Sauls, Councilman Adkins and Chairwoman Clark

2 no votes – Vice Chairman Dr. Brantley and Councilman Kemp

The motion passed.

New Business:

A: Kimberly Burgess – Presentation of proposals of Construction Management at Risk Services.

Ms. Burgess was present to address and review this item with Council. She noted that the Committee selected MB Kahn. She asked the County Council to accept and allow Mr. Fulghum to execute the necessary paperwork.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Kimberly Burgess – Approval of quotes for Cypress Ridge Signs totaling \$61,303.72.

Ms. Burgess was present to address and review this item with Council. She noted that staff recommends accepting the quotes and allowing Mr. Fulghum to enter into the agreement.

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

C: Chief Russell Wells – Change Order Number 7 to the Marsh Cove Fire Station.

Chief Wells was present to address this item and review it with Council. Mr. Tedder also discussed some information relating to this matter.

Motion to approve change order # 7, conditioned upon the architect approving the change order in writing, including the pricing and request for additional completion days; and reserving any rights or claims for damages under the contract, including claims for delays in completing the project, quality issues or otherwise: Councilman Adkins

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

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

Council Members Comments:

Councilman Sauls:

Councilman Sauls asked everyone to keep the Spisso family in their prayers. He noted that the visitation was at Sauls Funeral Home. He also congratulated Dale Terry on his retirement and years of service to the County. He also noted he had done a ride thru with the Chairman of the SC DOT relating to the infrastructure of the roads.

Councilman Kemp:

Councilman Kemp asked everyone to remember the Spisso family.

Councilman Adkins:

Councilman Adkins

Vice Chairman Dr. Brantley:

Vice Chairman Dr. Brantley noted that as of the last meeting he had attended the fish and grits celebration of retiree Dale Terry and wished him health and enjoyment.

Chairwoman Clark:

Chairwoman Clark offered her condolences and prayers to the Spisso family.

Administrator's Report:

Mr. Fulghum noted that he had placed his report in the agenda e-packet for Council and 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 approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

The meeting adjourned at 8:45PM.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council



Barbara B. Clark
Chairwoman