



JASPER COUNTY COUNCIL
COUNCIL MEETING

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

November 21, 2022
AGENDA

Officials Present: Chairwoman Barbara B. Clark, Vice Chairman Dr. Curtis Brantley
Councilman L. Martin Sauls, 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:

Chairwoman Clark called the meeting to order at 5:00PM. 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: Vice Chairman Dr. Brantley

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

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*****

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 – Election Matters; Exit 3; Cypress Ridge Spec Building Number 4; Levy Volunteer Fire Department; Waste Management of Georgia, Inc; Jasper County v. Western Surety Company and Denise Smith

(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; Project Sargent

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 THE EXECUTIVE SESSION.

Return to Open Session:

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Motions from Executive Session: None

The Pledge of Allegiance was led by Vice Chairman Dr. Brantley and the invocation was given by Councilman Kemp.

Approval of Agenda:

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Approval of the minutes 08.15.2022:

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Presentations: None

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.

The floor was opened for public comment.

Grant McClure of the Coastal Conservation League expressed his support for the study of a Regional Plan with the Town of Ridgeland and Jasper County.

Smittie Cooler discussed the overdevelopment in their area and said it was creating strife and overuse of the infrastructure. He also discussed a meeting with Jasper County and the Town of Ridgeland regarding Tipton Hall.

Connie Horton said she was concerned with the overdevelopment that the County is experiencing. She said she had come before Council regarding Chelsea South and now the Town of Ridgeland is proposing to annex 1520 acres into the Town limits including 4800 housing units. She noted that she hopes the County can form a collaboration with the town for a regional plan.

Milton Woods he discussed the docks on the pristine waterway and the serious challenge this imposed as well as his ideals on growth and the comprehensive plan.

Resolutions:

A: David Tedder - Resolution #R-2022-29 Committing To Negotiate A Fee-In-Lieu of *Ad Valorem* Taxes And Incentive Agreement Between Jasper County And Gopher Hill Holdings, LLC or its Assigns; Identifying The Project; and Other Matters Related Thereto.

Mr. Tedder was present to review and address this resolution committing to negotiate a Fee-In-Lieu of *Ad Valorem* Taxes and Incentive Agreement between Jasper County and Gopher Hill Holdings, LLC or its Assigns. Mr. Tedder noted that staff recommended adoption of the resolution.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Ordinances:

A: David Tedder - Public Hearing and 3rd reading of Ordinance #O-2022-28 to amend the Peninsula Tract Development Agreement as to the C-2 Property to make certain text amendments, extend the Term, and matters related thereto.

Mr. Tedder was present to review and address this ordinance noting it was the 3rd reading of the ordinance to amend the Peninsula Tract Development Agreement as to the C-2 Property to make certain text amendments and extend the term. Mr. Tedder noted that there had also been a public hearing at the 11.07.2022 meeting on this item.

The public hearing was opened, but there was no public input so the public hearing was closed.

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

B: David Tedder – 3rd reading of Ordinance [#O-2022-34](#) 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.

Mr. Tedder was present to review and address this ordinance noting it was the 3rd reading of the ordinance authorizing the execution, delivery and entering into a Fee-In-Lieu of Tax Agreement by and between Freedom Industrial Partners, LLC and Freedom Industrial Partners 2, LLC and Jasper County. Mr. Tedder noted that a public hearing had also been held at the 11.07.2022 meeting.

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

C: David Tedder – 3rd reading of Ordinance [#O-2022-29](#) authorizing the sale of TMS 063-30-03-010, approximately 11 acres, to P & S Properties 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.

Mr. Tedder was present to review and address this ordinance noting it was the 3rd reading of the ordinance to authorize the sale of TMS 063-30-03-010, approximately 11 acres, to P & S Properties 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.

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

D: David Tedder – 3rd reading of Ordinance [#O-2022-35](#) 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 P & S Properties M, 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 review and address this ordinance noting it was the 3rd reading of the ordinance authorizing and approving the development of a jointly owned and operated Multi-County Industrial/Business Park in conjunction with Hampton County with the park to be located in Jasper County.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

E: David Tedder – 3rd reading of Ordinance [#O-2022-36](#) Authorizing The Execution And Delivery Of An Infrastructure Credit Agreement To Provide For Infrastructure Credits To P & S Properties M, LLC; And Other Related Matters.

Mr. Tedder was present to review and address this ordinance noting it was the 3rd reading of the ordinance authorizing the execution and delivery of an infrastructure credit agreement to provide for the infrastructure credits to P & S Properties M, LLC.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

F: Andrew Fulghum – 2nd reading of Ordinance [#O-2022-37](#) To Authorize Jasper County To Enter Into A Memorandum Of Understanding/Lease Agreement With The Polaris Tech Charter School For The Lease Of The Athletic Facilities At The Airport Field Complex.

Mr. Fulghum was present to discuss and present this ordinance item to the Council for the 2nd reading. He noted that this was to enter into an MOU / Lease Agreement with Polaris Tech Charter School for the lease of the athletic facilities at the airport field complex. He noted that the first reading was held on 11.07.2022 and that a public hearing was set up for 12.05.2022 along with the 3rd reading of the ordinance. He noted that before the third reading a couple of changes would occur such as the soccer season would be identified specifically with the months of August to May for 10 months and that the term date would be set as 05.01.2024.

Motion to approve with necessary corrections: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

G: David Tedder - 2nd reading of Ordinance #O-2022-32 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 Holdings, 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.

Mr. Tedder was present to address and discuss this ordinance request with Council. He noted that was the second reading of this ordinance and that the ordinance would authorize the sale of several pieces of property.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

H: David Tedder - Consideration of 1st reading of and Ordinance 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 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.

Mr. Tedder was present to review and address this ordinance noting it was the 1st reading of the ordinance authorizing the execution, delivery and entering into a Fee-In-Lieu of Tax Agreement by and between Gopher Hill Holdings, LLC or its assigns and Jasper County. He noted that the public hearing was set for 12.05.2022.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

New Business:

A: Andrew Fulghum – Approval of the two new positions of the GIS Technician and a Deputy Tax Collector and their job descriptions.

Mr. Fulghum was present to review and discuss this request for the approval of two new positions for a GIS Technician and a Deputy Tax Collector and the job descriptions were provided in the packet. He discussed this item's grade in the pay matrix.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

B: Kimberly Burgess – Presentation of the Task Order for the Farmers' Market Renovation Project.

Ms. Burgess was present to review and discuss this request for the task order for M.B. Kahn for the Farmers' Market Renovation Project.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Old Business:

A: Danny Lucas – Airport Update

Mr. Lucas provided an in-depth update of the airport. He discussed the May workshop with the staff and pilots. He also discussed that the Ridgeland Claude Dean Airport was a federally operated airport. He noted that they were endeavoring to be not only a leisure airport but also a business class airport as that would be a benefit to all. He discussed the need to establish a model ordinance to serve Jasper County. He also discussed the fuel farm, and mentioned the new apron. He noted that more staff were needed at the airport. He also reported on the total fuel sales from 10.05.2022 thru 11.20.2022. He discussed the Automated Weather Observation System, Fuel Farm and Apron potential and possible completion times. Discussions regarding the two positions in the budget of an Administrative Assistant and a Line Services Technician. Discussions relating to the cutting of the grass at the airport and Gliders on the grass runway were also topics during the update. For further information related to this update please refer to the Jasper County video stream at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA.

Council Members Comments:

Councilman Kemp stated he had gone to the Veteran's Day Parade in Hampton. He said he had spoken with Alton Jenkins and talked about Veteran Suicide. He noted that next year the parade would be held in Jasper County. He mentioned the SCORE Minority Grant Program and thanked the Poll Workers who had worked at the Polls for the Election.

Vice Chairman Dr. Brantley stated that he had not been successful in re-election, however he knew that things would go well for the County Council.

Councilman Sauls discussed our Veteran Community. He congratulated Mr. Brown and Mr. Kennedy and thanked the Poll Workers. He gave condolences to Vice Chairman Dr. Brantley on his election loss and thanked everyone who had voted for him.

Chairwoman Clark thanked everyone for all they had done for her and wished everyone a Happy Thanksgiving.

Administrator's Report:

Mr. Fulghum noted that his report was in the agenda packet for information purposes. He noted that he did have one item to mention. He said that Ms. Burgess had notified the Department of Revenue that the Transportation Sales Tax had reached its point. He noted it was scheduled to go forward for 10 years or until the dollar point as met. He said that it had gone a little over the \$30 million dollar mark, so that 1% tax would be falling away from the Sales Tax. He noted that the School Tax Referendum did not pass so that would also be coming off. He said that soon this would drop the sales tax from a 9% sales tax to a 7% sales tax amount.

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 Sauls

Vote: Unanimous

The motion passed.

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA

The meeting adjourned at 7:07pm.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council



L. Martin Sauls IV
Chairman