



JASPER COUNTY COUNCIL
VIRTUAL MEETING

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

November 1, 2021
MINUTES

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

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Kimberly Burgess, Russell Wells, Danny Lucas, Dale Terry, and Videographer Jonathan Dunham. **Also Present:** Presenters Pegeen Hanrahan, Robert L. Horner, Paige Lux, Ron Joye and Ted Moyd.

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. Wanda Simmons, Clerk to Council read the Clerk's Report of Compliance with the Freedom of Information Act.

Chairwoman Clark read the information below for the executive session.

Motion to go into executive session: Vice Chairman Dr. Brantley

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:

(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 – Carolina Metal Castings; Exit 3; Nickel Plate;

(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 – Jasper Ocean Terminal (JOT); Prospect Update; Project South (Salt Land Holdings/SouthernCarolina Alliance)

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

Vice Chairman Dr. Curtis Brantley opened the meeting back up from Executive Session.

Return to Open Session:

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Vice Chair Dr. Curtis Brantley asked if there were any motions coming from executive session. Councilman Sauls said he had a motion coming from executive session.

Motion to move to accept the fee payment settlement agreement with Carolina Metal Castings as discussed in executive session and to authorize the County Administrator to execute the agreement on behalf of the County with leeway granted to make such grammatical corrections as may be recommended by the County Attorney: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

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 Kemp

Vote: Unanimous

The motion passed.

Approval of the Minutes of October 18, 2021, October 20, 2021, and October 25, 2021

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Presentations:

A: [Pegeen Hanrahan](#) – Southeast Conservation Finance Director Trust for Public Land – Presentation of the October 2021 Conservation Finance Feasibility Study for Jasper County

Ms. Pegeen Hanrahan was present to address the presentation. The Trust for Public Lands Lowcountry work she noted was funded by the Gaylord and Dorothy Donnelley foundation and the Doris Duke charitable foundation.

She noted that they had received a letter back in August of 2020 from the Chairman of the Jasper County Council requesting technical advice and assistance from the Trust for Public Land. As requested in the letter they noted that they had conducted research to develop recommendations for Jasper County Council on various strategies for supporting dedicated and ongoing sources for public funds for park and land recreation.

Since 2016 she noted they had worked in Beaufort, Charleston, Dorchester, Berkeley, and Greenville counties. Ms. Hanrahan mentioned that they had assisted on six successful ballot measure campaigns to create, improve or protect parks, trails and natural land in South Carolina. She also mentioned that the Trust for Public Land also follows a five-step process within the communities: feasibility research, public opinion survey, program recommendations, ballot language and campaign. Ms. Hanrahan also discussed the Jasper County demographics and covered the various funding options for funding parks and natural lands including bonds (as they are the most common in South Carolina for funding parks and natural land), property tax, and sales tax. Additionally, she noted the funding options are entirely up to the County Council as they can use nonlocal government resources or local government resources. Ms. Hanrahan also mentioned that the County Council would choose the election date. The ballot language, she noted is very important in these instances as this is what the voters see. If the County Council decided to move forward, she noted, it needs to be locally driven mentioning that they would help with the design of the campaign literature. She also discussed the park and land ballot measures in South Carolina as well as what the next steps in relation to what the County Council would like to see done. She said the next steps if desired by Council would be to identify the initial needs, potential funding sources and ballot timing. She also mentioned that conducting a public opinion poll (funded by TPL grant sources) to refine. She noted that if the polling is good, and County Councils policy direction is to proceed, then they would develop ballot language in cooperation with the County Attorney.

Vice Chairman Dr. Brantley turned the meeting back over to Chairwoman Clark. Councilman Sauls said he is concerned with economic development and that he wanted to look into how to preserve the land in Jasper County for its natural habitat. He asked if Council would have to create a group to oversee this. Ms. Hanrahan said usually it was just an Advisory Board. Councilman Kemp asked if the Council made decisions on what they wanted to do and then let the representative for the Trust for Public Land staff know. Ms. Hanrahan said the County staff would consider things they would like to see done as well as polling people to get their opinion. Vice Chairman Dr. Brantley asked how many projects of this magnitude her company had been involved in. Ms. Hanrahan noted that across they county they had done 600 ballot measures. Council thanked her for this presentation.

B: Robert L. Horner, Paige Lux and Ron Joy – Regional Solid Waste Study Presentation

Mr. Horner thanked Council for this opportunity and turned the presentation over to Paige Lux. She presented the Regional Landfill Study for Colleton Jasper Beaufort and Hampton counties. Ms. Lux noted that the first task included evaluating baseline solid waste generation and disposable

for the counties. Consideration was also projected for population growth and subsequent effects on waste generation trends as well as identifying waste management solutions for feasibility in the region. Identifying potential sites was evaluated but they also considered as well policy options for waste management. She discussed the baseline conditions for Jasper County noting they were the current host county for Class II and Class III landfills owned by Waste Management Incorporated.

She mentioned 91% of the residents were located within six miles of a County convenience center and that there was no curbside collection for residents or commercial sectors. Ms. Lux also gave the baseline conditions for Beaufort, Colleton and Hampton counties. She covered the current and future regional waste generation and noted that waste generation rates are projected to increase in Jasper County by 38% between 2020 and 2030. The total waste generation over the four-county region is anticipated to increase by 15% she mentioned. In consideration of the Solid Waste Budgets she noted that the average tipping fee in South Carolina in 2018 was \$38/ton which is lower than the national average of \$55.36/ton. She noted that Jasper County has the lowest tipping fee due to its status as the host county to Hickory Hill Landfill. Ms. Lux discussed the landfill remaining life duration and the baseline analysis conclusions and recommendations for Council. She noted that the recommendations or options would be: A New Class III Landfill; a Waste to Energy Facility; Mixed-Waste Processing Facility; and a Transfer Station. She discussed siting and what that would entail to find the appropriate locations. She said there were 11 potential sites identified in Jasper and Colleton Counties. She discussed secondary management with the development of an independent authority and flow control considerations. She said their overall recommendations were as follows: (1) A publicly owned mixed waste processing facility in combination with a landfill as this would allow for material recovery and sale when the market supports it and landfilling when the market is unfavorable; (2) A modular waste to energy facility as this energy would be distributed to a private industry or back to an electricity provider; and (3) A transfer station with a site on a property that would allow for gradual expansion and / or a processing facility that would reduce wastes to be hauled. She noted that the capital investment in a transfer station may offset potential tip fee increases. She stated that now the consideration was where do we go from here. She said that conversations with DHEC for siting recommendations as well as conversations regarding acquisition would be a start. Councilman Kemp asked if she had looked into landfills specifically for parks because that way you could assign a number of years then after the timeframe cover the landfill and put a park there. Ms. Lux noted that they had not looked at that, but that could be looked into. She did note however, that in that case there were a certain number of years that would regulate the transition from landfill to park. Councilman Kemp also asked if some of it could go to another county. She said that was the first conversation with all 4 counties, however, Hampton is not a solid waste location. She said they could evaluate sites in Hampton. Council thanked Ms. Lux for the presentation as did Mr. Fulghum. Mr. Fulghum noted that Ms. Simmons had provided detailed information for Council detailing how each counties process on waste management which should be very useful.

C: Ted Moyd – Presentation from Jasper County Neighbor’s United to the County Council

Mr. Ted Moyd, President and CEO of Jasper County Neighbors United was present for this presentation. He asked if anyone had any questions on the packet of information he had provided. Councilman Sauls said that Mr. Moyd had done excellent work on affordable housing always doing more than asked. He noted that he supports him in this endeavor. Vice Chairman Dr. Brantley said

he had reviewed it, and was impressed with the information. He also noted that the Jasper County could definitely use this. Councilman Adkins said he liked the set up and had reviewed the packet information. He also noted that he offered his support for this project. Councilman Kemp said he had worked with Mr. Moyd in Hardeeville and that he offers guidance to the people and that he agrees with that. Chairwoman Clark said that Mr. Moyd was a very resourceful person and that Jasper United (as Councilman Sauls had noted) does much more than his share and goes above and beyond. She noted that she liked the house plan and that it was a great project. She noted that Mr. Moyd would be hearing from Council.

Open Floor to the Public per Ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.

Chairwoman Clark asked if there any public comments received and Clerk to Council Wanda Simmons noted that they had received none.

Resolutions:

A: David Tedder - Resolution # 2021-23 committing to negotiate a Fee-In-Lieu of *Ad Valorem* Taxes and Incentive Agreement between Jasper County and Salt Land Holdings, LLC and the SouthernCarolina Regional Development Alliance; identifying the Project; and other related matters thereto.

Mr. Tedder reviewed and discussed this matter with Council noting that this was a resolution committing to negotiate a Fee-In-Lieu of *Ad Valorem* Taxes and Incentive Agreement between Jasper County and Salt Land Holdings, LLC and the SouthernCarolina Regional Development Alliance. He said later in the meeting there would be an Ordinance also on this matter.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Andrew Fulghum - Resolution # 2021-24 of Jasper County Council to adopt a revised Americans with Disabilities Act and Section 504 Grievance Procedure; to appoint members to the Jasper County Americans with Disabilities Act and Section 504 Grievance Committee; and to adopt the Jasper County Transition Plan dated November 1, 2021.

Mr. Fulghum noted that since Resolution Items B and C went together, he would discuss them together then asked that they be voted on independently. He noted that Resolution # 2021-24 was before Council asking them to adopt a revised Americans with Disabilities Act; and Section 504 Grievance Procedure and to appoint members to the Jasper County Americans with Disabilities Act and Section 504 Grievance Committee. He noted that the Grievance Committee would be comprised of Ms. Williams, Mr. Terry and himself. He also noted that this request was to adopt the Jasper County Transition Plan which would be dated

November 1, 2021. He noted in regard to Resolution # 2021-25 that this to adopt the Reasonable Accommodations Policy as required by the ADA.

Motion to approve: Councilman Adkins

Second: Councilman Sauls

Discussion: Councilman Kemp asked to offer some information here. He said on Resolution B that Mr. Fulghum mentioned that these comply, but they are not in compliance. Councilman Kemp said that the County can't say they are compliant when we are not, as there are hefty fines for doing so. It would be better off he noted, to say we are not complaint but are working on it in a plan. The Election Board office he noted was out of compliance with an improper ramp to begin with. He said he would not vote for this as it was not compliant and noted that we need a plan and to fix the document because we know it is not compliant and if this was corrected it would protect Council.

Mr. Fulghum said the attachment to the first resolution was the information Councilman Kemp was referring to. He said his suggestion would be to make the adoption with the resolution to include the attachments with the recognition that the plan is an ever-evolving document that can change from time to time. Vice Chairman Dr. Brantley asked if an amendment to that motion was needed. Mr. Fulghum said if Council wanted to take Councilman Kems suggestions into play, then that could be done in this manner. Mr. Fulghum also noted that from time-to-time buildings are added that need repairs in order to be correct and sometimes buildings are also taken off or sold. He said he thinks if there was a motion to adopt the resolution with the understanding that the Transition Plan is a living plan and evolves over time, that this would accomplish Councilman Kems concerns and keep the County meeting their compliance Mr. Fulghum noted.

Motion to amend the resolution with necessary adjustments as necessary to be compliance with the ADA: Councilman Brantley

Second: Councilman Sauls

Vote: 4 yes votes; Councilman Kemp did not vote

The motion passed.

C: [Andrew Fulghum](#) - Resolution #[2021-25](#) to Approve and Adopt a Reasonable Accommodations Policy as Required by the ADA - Americans With Disabilities Act, Public Law 101-336

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Ordinances:

A: [David Tedder](#) - **2nd reading of Ordinance # [2021-31](#) authorizing the execution and delivery of a Fee-In-Lieu Of Tax Agreement by and between SALT Land Holdings LLC and the Southern Carolina Regional Development Alliance (previously identified as "Project South") (collectively, 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; 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 on a tract of land bearing TMP # 030-00-01-019, 030-00-01-020, 031-00-00-017, 030-00-01-022, 030-00-01-021, 030-00-01-007 and generally known as a portion of the Sherwood Tract located in the City of Hardeeville; (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 address this request. He reviewed this item and discussed it with Council. He noted that this is the actual ordinance that works in conjunction with Resolution # 2021-23. He noted that the ordinance, which had the first reading held last week, serves multiple purposes creating a Multi County Park, adopting a FILOT agreement, and approves a Multi County Park Agreement. He noted the specifics of the ordinance for Council.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

B. Lisa Wagner - 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 029-40-04-022 from the Residential Zone to the Industrial Development Zone on the Jasper County Official Zoning Map.

Ms. Wagner was present to address this request. She noted that the subject property consists of 9.93 acres and is located at 535 Stiney Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Industrial Development (ID). The property is currently zoned Residential. Lowcountry Pavers developed the property in March 2000 and has operated their business at this location since 2001. Lowcountry Pavers would like to upgrade the property and modify the operation of their business, which will include eliminating the concrete plant portion of the business. Prior to making a significant investment in the property, the applicant would like to have the property re-zoned to Industrial Development, eliminating the non-conformity status. The property was conforming when it was developed in 2000; however, during the 2007 Countywide Re-zoning project, this property was made non-conforming.

Ms. Wagner stated that according to the 2018 Jasper County Comprehensive Plan, 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 adjacent parcels are zoned Residential and Rural Preservation with Light Industrial Zoning nearby in the City of Hardeeville. Adjacent land uses are residential and commercial, with heavy industrial located nearby in the City of Hardeeville.

The subject property is accessed by Stiney Road, which is a two-lane state-maintained highway, classified as a local road.

Planning Commission Recommendation: Ms. Wagner noted that there was not a motion made by the Planning Commission, so the application has been forwarded to the County Council with no recommendation.

Councilman Kemp wanted to know why this came to Council if the Planning Commission did not vote on it. Ms. Wagner noted that in accordance with the County Ordinances it comes forward to the County Council. She noted that she thought there was a concern since it was in a residential area. She said there was no favorable recommendation but no denial either from the Planning Commission. She also noted that the public hearing would be held at the 11.15.2021 meeting.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: 4 yes votes with Councilman Kemp abstaining from the vote.

The motion passed.

New Business:

A: [Danny Lucas](#) - Airport Consultant Selection

Mr. Lucas was present to address this request. He noted that he was pleased to bring forth the 3 candidates for this consideration. He noted that Mr. Fulghum, the Director of Administrative Services and himself had met to go over the 3 airport consulting companies. He noted that the three candidates were Holt Consultants (which was the current company), Delta Airport Consultants and RHEA Engineers and Consultants. He noted that staff recommended that Council approve to stay with Holt Consulting Company for another 5 years. He said they had been with the County for 7 years and had guided the County well thus far, hoping to continue with them for Phase 5 of the airport.

Chairwoman Clark noted that they had done a fantastic and exceptional job for the County and to change in the middle could be a problem. Councilman Kemp asked how this was paid for. Chairwoman Clark noted it was part of the grant. Councilman Kemp asked if the Airport Commission had seen it and if they were in agreement. Chairwoman Clark noted it could take a long time to get the information back from the Commission for this item. She noted that the County Council decides these type of decisions as they know what is best for the County and was not sure if the appointed Commission had seen it.

Motion to approve the Consultant as presented by Mr. Lucas: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: 4 votes yes, Councilman Kemp did not vote.

The motion carried. Chairwoman Clark noted that Holt Consulting will continue as the Airport Consultant.

B: [Andrew Fulghum](#) – Staff recommendation for South Carolina Rural Initiative Grant Program

Mr. Fulghum presented this request. He noted that he had provided a memo to Council with the background information. He said that 14 counties had been selected to participate and that Jasper County was one of the 14 counties selected.

Mr. Fulghum Noted that there were \$2.5 million in grants with 100% match. He said they had asked the County to choose preferred projects and that he had submitted three projects to Council for their consideration. He noted that the number one project at this time was the airport. He said that if Council wished to do this, we could accept the \$2.5 million from the state with a \$500,000 contribution from the South Carolina Aeronautics Commission which would leave only a \$2 million cost for the county. He said this was a \$5 million project that would only end up costing the county \$2 million dollars.

Chairwoman Clark noted that the airport is a large part of the County's budget. Councilman Kemp asked if this was the only project that we have that needs work. He said it almost always seems to be about the airport when there are other projects to be considered. Chairwoman Clark said we lose a lot of customers to Hampton County since we don't provide fuel for planes to purchase.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: 4 yes votes and 1 no vote by Councilman Kemp

Councilman Kemp noted that he voted no because he thinks there are other things that need to be fixed and other projects to consider before the airport.

The motion passed.

Old Business:

A: Chief Russell Wells - COVID update

Chief Wells noted that the positivity rates were down with the state of South Carolina at a 4.7 percent positivity rate and Jasper County at a 3.7 percent positivity rate. He said although the positivity rate numbers were down, but that there had been 3 additional deaths. He noted that the FDA had authorized Pfizer for shots for children ages 5-11 years of age. He discussed vaccine locations and testing locations.

Council Members Comments:

- **Councilman Adkins** noted that he wanted to thank God for being so good to us all of the time. He noted that we must be obedient to go forward. He asked blessings over everyone.
- **Vice Chairman Dr. Brantley** said he had visited Robertsville Senior Center and that there was a lot of work to be done there. He noted that Council had not forgotten their Senior Citizens and that he would get with Mr. Fulghum to discuss this. He also noted he would be visiting the other centers.

- **Councilman Kemp** said he had gone to Levy for the Trunk or Treat and that this coming Saturday that the Levy area would be having a litter pickup. He also noted that Lynn Boyles would be going to Washington DC to discuss litter programs due to the fantastic work she had done. He said he would like to see remuneration for her to go to Washington DC. He also congratulated Mr. Lucas on his new position and asked everyone to remember Veteran's Day.
- **Chairwoman Clark** thanked the County Employees, the County Administrator and the County Attorney for all their hard work.
- **Councilman Sauls** had to leave before the Councilmember Comments.

Administrator's Report:

Mr. Fulghum noted that he had 2 items on his report which had been provided to Council for their review and was available for questions.

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 Adkins

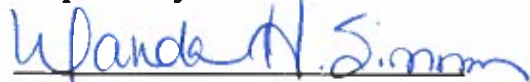
Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

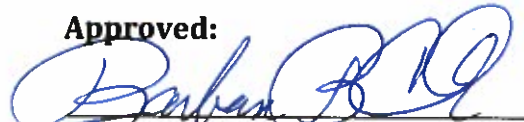
The meeting adjourned at 8:19PM.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council

Approved:



Barbara B. Clark
Chairwoman