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Pursuant to Ordinance #08-17, Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's Regular Meeting start time) on the **Public Comments 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. Written Public Comments may also be submitted by 1PM on the date of the Council Meeting by emailing your comment to: comments@jaspercountysc.gov.

To participate in a **Public Hearing for a specific agenda item**, you may either email written public comments to comments@jaspercountysc.gov by **1:00PM on Monday, August 21, 2023**; or you can speak in person at the Council Meeting by signing in on the **Public Hearing Sign In Sheet** located outside the Council Chambers Doors prior to the start of the meeting. **Public Hearing Comments** shall be limited to **3 minutes per person**.

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
Monday, August 21, 2023
AGENDA

5:00PM

1. Call 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

2. 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 – Jasper Animal Rescue Mission (JARM) Lease; Intergovernmental Agreement (IGA) with City of Hardeeville for funding of Workforce Training Program; Memorandum of Understanding (MOU) with Beaufort, Colleton and Hampton Counties for Regional Jail Study; Litigation Update – Ball v. Jasper County, Haina v. Jasper County, Jasper County v. Western Suety Company and Denise Smith, Davis v. Jasper County; Tax Map# 062-00-03-056, Tax Map# 063-26-14-002, Tax Map# 063-26-14-001 and Tax Map# 067-00-01-010; Prayer at Meetings; Airport Matters - Heddings

(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 – Projects Slab, Water, Ice, Deepwater and Gelato

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.**

- 3: Return to Open Session at 6:30PM
 - 3.1 Action coming out of Executive Session

4. Pledge of Allegiance and Invocation:

5. Discussion of Consent Agenda and Agenda Items:

6. Approval of Agenda:

CITIZEN COMMENTS

7. 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 6:30PM 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.

PRESENTATIONS AND PROCLAMATIONS

8. **David Tedder** – Proclamation for the 2023 Gullah Geechee Nation Appreciation Week to Week to Queen Quet.

9. **M.B. Kahn** – Presentation for Coosawhatchie Community Center and Fire Station Project

RESOLUTIONS

10. **David Tedder** – Consideration of Resolution #RR-2023-_____ to Approve and Adopt an Intergovernmental Agreement between Jasper County and the City of Hardeeville (Workforce Training Program)

11. **David Tedder** – Consideration of Resolution #RR-2023-_____ to Provide Approval of the Revised Legal Description for a Fee in Lieu of Taxes Agreement between Jasper County and CP Hardeeville, LLC Dated February 22, 2022

12. **David Tedder** – Consideration of Resolution #RR-2023-_____ Appointing a Litter Control/Codes Enforcement Officer for the Proper Security, General Welfare and Convenience of Jasper County

13. **Kim Burgess** – Consideration of Resolution #RR-2023-_____ Authorizing the Commitment of Funds for Use by the Jasper County 250 Committee to be Paid From Local Accommodations

PUBLIC HEARINGS, ORDINANCES AND ACTION ITEMS

14. **Russell Wells** – Consideration of the **3rd reading** of Ordinance **#O-2023-12** Amending Chapter 9, *CIVIL EMERGENCIES*, by creating new Divisions, adopting restrictions and conditions regarding open burning of vegetation, leaves, and other materials, and matters related thereto. (**1st reading 05.15.2023**; **2nd reading 07.17.2023**)

15. **Lisa Wagner** - Public hearing and consideration of the **2nd reading** of Ordinance **#O-2023-14** to amend the Official Zoning Map of Jasper County so as to transfer three (3) properties located along Honey Hill Road, bearing Jasper County Tax Map Numbers: 029-00-02-028, a 6-acre portion as shown on the attached exhibit; 029-00-02-079; and 029-00-02-086, from the Rural Preservation Zone to the Community Commercial Zone, and one (1) property located along Honey Hill Road bearing Jasper County Tax Map Number 029-00-02-061 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map. (**1st reading 07.17.2023**)
Request and consideration for an appointment to the Board of Zoning Appeals.

16. **Lisa Wagner** - Consideration of **1st reading** of an ordinance To Amend Article 6:1 – Table 1, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32 *Townhouses*; and 11:7.33, *Patio Homes* of the Jasper County Zoning Ordinance, to remove duplexes, townhouses, and patio homes as a conditional use from certain Zoning Districts, add conditional use requirements, increase the setback requirements and reduce the allowed density for duplexes, townhomes, and patio homes.

17. **John Kemp** – Consideration of **1st reading** of an ordinance To establish a Board of Parks and Recreation for Jasper County, South Carolina by adopting a new, Chapter 2, Article IV, Division 4 in the Jasper County Code of Ordinances

18. **Kim Burgess** – Consideration of **1st reading** of an ordinance to Amend Jasper County Ordinance O-2022-17 for Fiscal Year 2023 Jasper County Budget to Provide for Amendments to the Budget and to Carryover Approved Lapsing Funds to Fiscal Year 2024, and to Amend Jasper County Ordinance O-2023-09 for Fiscal Year 2024 Jasper County Budget to Provide for Amendments to the Budget Lapsing Funds from Fiscal Year 2023 and to Correct an Error in Section 2 of the Budget Regarding a Mathematical Error.

19. **Wanda Simmons** - Request and consideration of the reappointment as requested by Mary Lou Franzoni for Mr. Charles Mitchell Jr. to be re-appointed as the Jasper County Representative to the Lowcountry Regional Transportation Authority Board of Directors for a term of 3 years.

20. **Wanda Simmons** - Request and consideration for an appointment to the Board of Zoning Appeals.

21. **Wanda Simmons** - Request and consideration of the Council Appointments to the Airport Commission.

22. **Wanda Simmons** - Request and consideration of the Council Appointments to the Levy Fire Protection District Board.

23. **Administrator's Report**

CONSENT AGENDA

24. **Russell Wells** - Consideration of the Sourcewell Cooperative purchase of the Generator for Firetower Road Fire Station in the amount of \$105,427.00. (This was approved in the FY 23-24 budget, however contract exceeds authority of the Administrator).

25. **Kim Burgess** – Consideration of Change Order Number 8 from C. Merrill Construction Company Inc., for Marsh Cove Fire Station in the amount of \$81,421.00

26. **Approval of the Minutes of May 1, 2023.**

END OF CONSENT AGENDA

27. **Council Members Comments**

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

29. **Adjournment:**

***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

8 THRU # 9

PRESENTATIONS
&
PROCLAMATIONS



***GULLAH / GEECHEE NATION APPRECIATION WEEK
PROCLAMATION***

***To designate the week of July 29, 2023 - August 5, 2022,
as Gullah / Geechee Nation Appreciation Week***

WHEREAS, Jasper County is one of the most historic Lowcountry counties in South Carolina, and in the 18th Century, this area and the South Carolina coast became the locale of some of the richest rice and farming plantations in the South, which were linked to specific West African ethnic groups who became known as Gullah/Geechee; and,

WHEREAS, the Gullah/Geechee ancestral civilization originated in West Africa, its people coming to the United States due to having been kidnapped to be enslaved in the United States to work on these plantations in the coastal regions, including South Carolina; and with their African fare, original language, and craftsmanship, the Gullah/Geechee people left their mark on South Carolina, and,

WHEREAS, the Gullah/Geechee culture has had a powerful impact on the Lowcountry of South Carolina, including Jasper County, and these Gullah/Geechee influences have helped to define our southern lifestyle and culture; and,

WHEREAS, John Bascomb, who served Jasper County in the SC House of Representatives from 1870 to 1874, was born in 1827 emerged from this culture and community and farmed the very lands on which he and many of his people had been enslaved; and,

WHEREAS, the preservation and celebration of the Gullah/Geechee culture has gained momentum due to the Gullah/Geechee Cultural Heritage Act, created by United States Representative James Clyburn, as well as the efforts of others such as Queen Quet, of the Gullah/Geechee Nation, and Kwame Sha, co-founders of the Gullah/Geechee Nation International Music & Movement Festivaltm; and,

WHEREAS, the Gullah/Geechee Sustainability Plan has been created to sustain the land and the Gullah/Geechee culture; and,

WHEREAS, Queen Quet, who became the first Gullah/Geechee to speak before the United Nations on behalf of Gullah/Geechees, lead the creation of this plan and the aforementioned act; and,

WHEREAS, it is appropriate to recognize the importance of bringing awareness and appreciation for this rich culture and history in order to increase understanding of all the contributions the Gullah/Geechee have given to our area; and,

WHEREAS, a series of activities will take place throughout Jasper County and virtually to honor the history and legacy of the Gullah/Geechee Nation and are part of the United Nations Decade of People of African Descent; and,

WHEREAS, Jasper County joins in celebrating the lives of Gullah/Geechees that have left such a rich legacy of our county, region, and nation by joining in with the theme for this year's celebration as, "**Celebrating Gullah/Geechee Resiliency.**"

NOW, THEREFORE, BE IT RESOLVED that the JASPER COUNTY COUNCIL, does hereby proudly proclaim the week of *July 29, 2023–August 5, 2023*, as

GULLAH/GEECHEE NATION APPRECIATION WEEK

in Jasper County and encourages all citizens to actively participate in educational activities aimed at increasing both knowledge and appreciation of this rich culture.

Done this the 17th day of July, 2023, at Ridgeland, Jasper County, South Carolina.

L. Martin Sauls IV
CHAIRMAN

(Seal)

AGENDA ITEM

10

RESOLUTION

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION 2023 - _____

**RESOLUTION OF JASPER COUNTY COUNCIL
To approve and adopt an Intergovernmental Agreement
between Jasper County and the City of Hardeeville
(Workforce Training Program)**

WHEREAS, Counties and Municipalities are authorized to enter into contractual intergovernmental agreements by S.C. Ann § 4-9-40; and

WHEREAS, § 6-1-20 of the Code of Laws of South Carolina 1976, as amended, provides that local governments, including counties, municipalities and special service districts, may enter into contractual agreements with each other to provide joint public facilities and services when considered mutually desirable, and for the governing body of each local government entering into such agreements for joint public to approve the contractual agreement and be parties thereto; and

WHEREAS, as stated in the Intergovernmental Agreement between Jasper County (“County”) and the City of Hardeeville, (“City”) attached hereto as Exhibit “A”), the City has implemented a workforce training program in partnership with Palmetto Training Inc. which enables local residents an affordable training opportunity to transition into a career based on skilled trades services; and

WHEREAS, the City wants to continue strengthening the success of the Programs with a goal of providing continuous opportunity for a minimum of fifty (50) new Jasper and Beaufort County residents annually to participate in tuition-free Programs; and

WHEREAS, the County desires to partner with the City to help fund additional Jasper County residents’ participation; and

WHEREAS, the Council finds the terms of the Attached Intergovernmental Agreement to be acceptable;

NOW THEREFORE BE IT RESOLVED, by Jasper County Council in Council duly assembled and by the authority of the same, that the terms of the Intergovernmental Agreement (Workforce Training Program) between Jasper County and the City of Hardeeville (a copy of which is attached hereto as Exhibit “A”), is acceptable to Jasper County Council; and

BE IT FURTHER RESOLVED, the form, terms, and provisions of the Intergovernmental Agreement (Workforce Training Program), in substantially the form presented at the meeting at which this Resolution is adopted, be and hereby are approved. The County Administrator of Jasper County is authorized to execute, and the Clerk to Council to attest the execution of the said Intergovernmental Agreement (Workforce Training Program), and to deliver the same and thereby bind Jasper County, upon the affixation of the other signatories to the said Intergovernmental Agreement (Workforce Training Program, with such changes or revisions as are permitted hereby, in the name of and on behalf of the County. The County Administrator, with advice from the County Attorney, is hereby delegated the authority to approve such non-substantial changes in the form, terms, and provisions of the Intergovernmental Agreement (Workforce Training Program) as may be necessary or advisable in connection with the transactions contemplated hereby and thereby, so long as such changes do not adversely affect the rights of the County thereunder.

This Resolution made this _____ day of _____, 2023, to be effective upon the adoption of an authorizing Resolution or Ordinance by the City of Hardeeville, and execution of the Intergovernmental Agreement (Workforce Training Program) by the City of Hardeeville.

SIGNATURES AND ATTESTATION FOLLOW ON NEXT PAGE

L. Martin Sauls, IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

It is required that the following Exhibit be attached before final adoption execution and recording:

Exhibit "A"

Intergovernmental Agreement (Workforce Training Program

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

Exhibit "A"
**Assessment Collection and Disbursement Agreement Intergovernmental
Agreement (East Argent Improvement District)**

**INTERGOVERNMENTAL AGREEMENT
BETWEEN JASPER COUNTY, SOUTH CAROLINA AND
THE CITY OF HARDEEVILLE, SOUTH CAROLINA
(WORKFORCE TRAINING PROGRAM)**

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) made and entered this _____ day of _____, 2023 (“Effective Date”), by and between Jasper County, South Carolina (“County”) and the City of Hardeeville, South Carolina (“City”), collectively hereinafter the “Parties”, provides a cooperative methodology in providing affordable workforce training programs for the residents of Beaufort County and Jasper County through the City of Hardeeville Workforce Training Program.

RECITALS

WHEREAS, the City has implemented a workforce training program in partnership with Palmetto Training Inc. which enables local residents an affordable training opportunity to transition into a career based on skilled trades services; and

WHEREAS, in accordance with this workforce training program, the City in partnership with Palmetto Training Inc. offers two programs, a NCCER 10-week welding, OSHA, and forklift certification program or a 5-week CDL-A licensing program; hereinafter collectively referred to as the “Programs”; and

WHEREAS, the City has currently invested approximately \$500,000 into the Programs, resulting in more than 150 tuition-free graduates from Jasper and Beaufort County who have secured jobs with starting salaries ranging from \$40,000 to \$60,000 a year; and

WHEREAS, the City wants to continue strengthening the success of the Programs with a goal of providing continuous opportunity for a minimum of fifty (50) new Jasper and Beaufort County residents annually to participate in tuition-free Programs; and

WHEREAS, the County desires to partner with the City to help fund additional Jasper County residents’ participation; and

WHEREAS, this Agreement is not intended to, and does not, alter or change the responsibilities of each of the Parties hereto, nor does it relieve any party of any function, duty or obligation otherwise imposed by law; and

WHEREAS, this Agreement, upon its execution by the Parties hereto, shall be filed with the Clerk to Council of Jasper County and the City Clerk of the City of Hardeeville; and

WHEREAS, the foregoing recitals are hereby incorporated into and made a part of this Agreement.

NOW, THEREFORE, the Parties agree to the terms and conditions as follows:

- 1. Term.** The Agreement shall begin on the Effective Date and terminate on May 30, 2026. Any renewal of this Agreement must be in writing with written consent of both Parties.
- 2. Responsibilities of the Parties.**

- a. The City is committed to training skilled trade workforce participants each year, while improving the quality of life for existing underemployed or unemployed residents residing in Jasper and Beaufort County through the Programs.
- b. The City will oversee the administration of the Programs, including making available the applications electronically across the City's website, will provide the space and equipment for successful implementation of Programs, and will be the responsible party for all of the Programs' oversight and coordination including the related costs of running the Programs beyond the tuition expenses associated with the ten (10) County participants in the Programs.
- c. The County will assist the City with the advertising of the Programs to make County residents more aware of the Program opportunity including, but not limited to, placing the information on their website and social media outlets. The City will provide the County with access to any and all marketing materials in order to use for the promotion of the Programs.

3. Funding. The County shall pay directly to the City an amount of Five Thousand and Nine Hundred (\$5,900.00) Dollars per participant to be used for tuition expenses only. The County agrees to fund up to ten (10) new workforce training participants per year for three (3) years. The total funds from the County shall not exceed an amount of Fifty Nine Thousand (\$59,000) Dollars during any one year and One Hundred Seventy Thousand (\$177,000) for the three year term. Funding in future fiscal years is subject to appropriation.

- a. *Funding Request.* The County shall provide the City with payment in the amount of \$59,000 for program participation within thirty (30) calendar days once this agreement is fully executed. Payment shall be made via check and to the address provided in Section 4(b) of this Agreement.
- b. *Unused Funds.* The City is solely responsible for maintaining accurate records and for providing the County with notice of unused funds no later than April 1 of each term. Upon receipt of the aforementioned notice, the County shall respond to the City in writing on how it desires the unused funds to be handled. The Parties agree that any unused funds may either 1) be directly refunded to the County by way of wire transfer or check; or 2) be applied to the amount owed for the following renewal term.
- d. *Finance Documents.* Upon the request of the County, the City agrees to provide the County with any and all information or documents associated with financing the Programs or any tuition for a participant.

4. Miscellaneous Provisions.

- a. *Freedom of Information Act.* Any information shared or furnished to either Party pursuant to this Agreement shall be subject to the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the South Carolina Code of Laws, 1976, as amended, unless otherwise exempt from disclosure. Responding to any validly submitted Freedom of Information Act request will be the responsibility of the Party that receives the request, and such party will be responsible for any costs related to responding thereto; nevertheless, neither Party is obligated to obtain documents in possession of another Party to respond to a Freedom of Information Act request.
- b. *Notices.* Any notice, communication, request, approval or consent which may be given or is required to be given under the terms of this Agreement shall be in writing and shall be transmitted (1) via hand delivery or express overnight delivery service to the Seller or the Purchaser, (2) via facsimile with the original to follow via hand delivery or overnight delivery service, or (3) via e-

mail, provided that the sending party can show proof of delivery, as the case may be, at the addresses/numbers set forth below:

AS TO COUNTY: Jasper County
Attn: Jasper County Administration
Post Office Box 1149
Ridgeland, SC 29936
Attn: Andrew Fulghum, County Administrator

AS TO CITY: _____

- c. *Entire Agreement and Construction.* This Agreement constitutes as the sole and entire agreement of the City and County and no prior or contemporaneous oral or written representations or agreements between the parties affecting the Premises shall have any legal effect. The Parties acknowledge that the Parties and their counsel have reviewed and revised this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any exhibits or amendments hereto.
- d. *Counterparts.* This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute one Agreement. To facilitate execution of this Agreement, the parties may execute and exchange by email or telephone facsimile counterparts of the signature pages.
- e. *Severability.* If any portion of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.
- f. *Amendment or Modifications.* This Agreement shall not be modified, amended, or changed in any manner except upon the express written consent of the Parties hereto.
- g. *Captions.* The captions used in this Agreement are for convenience only and do not in any way limit or amplify the terms and provisions hereof.
- h. *Applicable Law and Respective Governing Bodies.* The laws of the State of South Carolina shall govern the interpretation, validity, performance, and enforcement of this Agreement; and, of any personal guarantees given in connection with this Agreement. Each Party is responsible for any notice, reporting, or approval requirements to their respective governing body as may be required under South Carolina Law or any other applicable law or ordinance.
- i. *Authority.* Each individual and entity executing this Agreement hereby represents and warrants they have the capacity set forth on the signature pages hereof with full power and authority to bind the party on whose behalf they are executing this Agreement to the terms hereof.

(Signature Page to Follow)

IN WITNESS THEREOF, the Parties hereto have executed this Facility Use Agreement the day and year first above written.

COUNTY:

Witness

By: _____
Andrew P. Fulghum
Jasper County Administrator

Witness

[Approved by Action of Jasper County Council at its meeting held on _____, 2023]

CITY:

Witness

By: _____
Name: _____
Its: _____

Witness

[Approved by Action of Hardeeville City Council at its meeting held on _____, 2023]

AGENDA ITEM

11

RESOLUTION

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION NUMBER 2023 R - _____

RESOLUTION OF JASPER COUNTY COUNCIL

**PROVIDING FOR THE APPROVAL OF A REVISED LEGAL
DESCRIPTION FOR A FEE IN LIEU OF TAXES AGREEMENT
BETWEEN JASPER COUNTY AND CP HARDEEVILLE, LLC DATED
FEBRUARY 22, 2022**

WHEREAS, Jasper County designated and established a Multi-County Industrial Park pursuant to Ordinance 2021-29 for what was known as Project Mandolin, including properties generally known as the Monroe Tract; and

WHEREAS, Ordinance 2021-29 provided for the approval of an Agreement for the Establishment of a Multi-County Industrial/Business Park (MCIP) and a Fee In Lieu of Taxes (FILOT) Agreement between Jasper County and CP Hardeeville, LLC; and

WHEREAS, Ordinance 2021-29, with the MCIP Agreement and the FILOT Agreement are recorded in the Office of the Register of Deeds for Jasper County, SC in Book 1104 at Pages 1232 through 1281; and

WHEREAS, CP Hardeeville, LLC has now had a new survey prepared of the Property included in the Park and FILOT Agreement, and CP Hardeeville, LLC desires to substitute the new survey description for the original Exhibit A; and

WHEREAS, the new survey description does not add to or subtract from the area initially described on the recorded Exhibit A, but provides for a metes and bounds, courses and distances description of the Property as subdivided for development and related purposes; and

WHEREAS, Section 12.11 of the FILOT Agreement, *Amendments*, provides the FILOT Agreement may be amended in a writing signed by both parties, and to the extent allowed by law, such amendment may be approved by Resolution of County Council; and

WHEREAS, no amendment requiring ordinance approval appears to be necessary, as only a better description of the property is being included, with altering material terms of the FILOT Agreement and being more in the nature of a supplement rather than amendment;

NOW THEREFORE BE IT RESOLVED, that the Jasper County Council, duly assembled:

1. Jasper County hereby recognizes the proposed substitution of the new survey description attached hereto would not be an amendment to the FILOT Agreement requiring an ordinance; that the proposed substitution is more in the nature of a supplemental clarification than a material amendment to the FILOT Agreement; and accepts the request of CP Hardeeville's authorized legal representative as contained in the January 27, 2023 letter attached hereto as Exhibit B transmitting the revised Exhibit A as sufficient writing signed by CP Hardeeville, LLC, as one of the parties, requesting a clarifying, supplemental amendment to the FILOT Agreement.
2. Jasper County hereby represents that the adoption of this Resolution with signature and attestation will represent Jasper County's consent in writing to the clarifying, supplemental amendment substituting the revised Exhibit A attached hereto to the FILOT Agreement and deems the FILOT Agreement amended as of the date of this Resolution.
3. Jasper County authorizes Administration to file this Resolution with the revised Exhibit A attached hereto with the Register of Deeds for Jasper

County, and the Exhibit A of the FILOT Agreement recorded as part of Ordinance 2021-29 at Book 1104 at Pages 1232 through 1281 shall be replaced by the revised survey description attached hereto as Exhibit A.

This Resolution No. 2023 R- _____ made this _____th day of April, 2023, and effective immediately.

L. Martin Sauls, IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

AGENDA ITEM

12

RESOLUTION

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION NUMBER 2023 - _____

RESOLUTION OF JASPER COUNTY COUNCIL

A RESOLUTION APPOINTING A LITTER CONTROL AND CODES ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF JASPER COUNTY.

WHEREAS, the Jasper County Council, in the exercise of its general police power, is empowered to protect the health and safety of the residents of Jasper County; and

WHEREAS, the Jasper County Council is further authorized by Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Litter Control Officers, which in the course of their duties may serve as Code Enforcement Officers; as may be necessary for the proper security, general welfare, and convenience of the County; and

WHEREAS, Litter Control Officers may also be known as Code Enforcement Officers under Section 4-9-145, and Code Enforcement Officers shall provide for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon them by the governing body of this County, including the enforcement of the County's regulations, and the use of an ordinance summons, and with all the powers and duties conferred under County ordinances and pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. Provided, however, Codes Enforcement Officers shall not perform any custodial arrests in relation to any enforcement of Jasper County Ordinance; and

WHEREAS, a Litter Control Officer may exercise the power of arrest with respect to the primary duties of enforcement of litter control laws and ordinances and other state and local laws and ordinances as may arise incidental to the enforcement of his primary duties only if the officer has seen the offense committed in his/her presence; and

WHEREAS, Jasper County desires to appoint Ethan Rodgers as the Jasper County Litter Control and Codes Enforcement Officer, under the direction and command of the Director of the Jasper County Emergency Services, and or his designee;

NOW, THEREFORE, BE IT RESOLVED THAT Ethan Rodgers is hereby appointed and commissioned as the Litter Control and Codes Enforcement Officer of Jasper County, for the purpose of providing for the proper security, general welfare, and convenience of the County, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon them by the governing body of this County, including the enforcement of the County’s regulations, and the use of an ordinance summons, and with all the powers and duties conferred under County ordinances and pursuant to the provisions of Section 4-9-145 of the Code of Laws of South Carolina 1976, as amended. As a Litter Control Officer he may exercise the power of arrest with respect to the primary duties of enforcement of litter control laws and ordinances and other state and local laws and ordinances as may arise incidental to the enforcement of his primary duties only if the officer has seen the offense committed in his/her presence. As a Codes Enforcement Officer, he shall not perform any custodial arrests in relation to any enforcement of Jasper County Ordinances. This appointment shall remain in effect until such time as the individual appointed is reassigned or no longer employed by Jasper County to enforce the County’s Code of Ordinances laws and regulations.

ADOPTED this the 21st day of August, 2023, and effective immediately.

Martin L. Sauls IV, Chairman

ATTEST:

Wanda Simmons
Clerk to Council

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

AGENDA ITEM

13

RESOLUTION

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION NUMBER R-2023 - _____

RESOLUTION OF JASPER COUNTY COUNCIL

**A RESOLUTION AUTHORIZING THE COMMITMENT OF FUNDS FOR
USE BY THE JASPER COUNTY 250 COMMITTEE TO BE PAID FROM
LOCAL ACCOMMODATIONS**

WHEREAS, the County of Jasper estimated that the total Local Accommodations Tax Funds (Local ATAX) to be received in Fiscal Year 2024 to be \$275,000; and

WHEREAS, by Resolution R-2023-06 the County has awarded local non-profit organizations Local ATAX funds for Fiscal Year 2024 in the amount of \$275,000 to promote tourism within the unincorporated portions of Jasper County; and

WHEREAS, historically there are additional Local ATAX funds collected over and above the estimated amounts used to fund the initial allocations by County Council; and

WHEREAS, the Jasper County 250 Committee has would like to apply for a \$10,000 County Asset Assessment & Tourism Plan Grant from the South Carolina 250 Committee to hire a professional to update and refresh the 1996 Architectural and Historical Survey of Jasper County, South Carolina.; and

WHEREAS, the Jasper County 250 Committee anticipates that the cost to update and refresh the historical survey and then to develop the professional tourism plan for Jasper County will be approximately \$30,000; and

WHEREAS, the South Carolina 250 Committee grant requires a 50% match and has an application deadline of September 26, 2023, the Jasper County 250 Committee requests a commitment from the Jasper County Council to provide a grant match not to exceed \$15,000 should the Committee receive the requested County Asset and Tourism Plan Grant from the South Carolina 250 Committee, and

WHEREAS, as the Fiscal Year 2024 funds have been awarded, the committed funds shall be paid from Jasper County Accommodations Tax proceeds in excess of the \$275,000 previously awarded in Resolution R-2023-6.

NOW, THEREFORE, BE IT RESOLVED THAT the Jasper County Council, in Council, assembled, hereby commits to the Jasper County 250 Committee an amount not to exceed \$15,000 as a 50% match for the County Asset Assessment & Tourism Plan Grant to be paid from excess Jasper County Accommodations Tax proceeds, or, in the event there are not sufficient excess funds available, from the grant match fund of the 2023-2024 County budget..

ADOPTED THIS THE 21st DAY OF August 2023.

L. Martin Sauls, IV, Chairman

ATTEST:

**Wanda Simmons
Clerk to Council**

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

JASPER COUNTY



Request for Jasper County ATAX Funds

The Jasper County 250 Committee

The Jasper County 250 Committee is an organized committee consisting of community and civic volunteers, members of Jasper County government agencies, City of Hardeeville, and Town of Ridgeland representatives. The committee has been charged with the responsibility of planning and development of sites and events that will highlight the role that Jasper County played in the American Revolution and provide opportunities for education and tourism within the county.

With the support of the SC 250 Commission, the Jasper County 250 Committee has the responsibility and authority to plan and execute a proper observance of the Sestercentennial of the American Revolution in Jasper County for its citizens and visitors.

Driving Cultural Tourism

An essential goal of the Committee, in keeping with the mission of the SC 250 Commission, is to support and promote research and cultural heritage tourism, telling Jasper County's role in the American Revolution. Further, to support and promote the local 250th Anniversary commemorative events, arts, preservation, heritage tourism infrastructure, and corresponding economic development.

The first step in preparing to draw tourists from other parts of the country and even internationally starts with the identification of Revolutionary War sites of interest to the cultural traveler.

The Committee has identified several areas within Jasper County that would be of interest to a traveler seeking to experience and understand the American Revolution in the South Carolina Lowcountry. Those sites include the Old House/Tomb of Thomas Heyward site, as well as the Purrysburg and Coosawhatchie Battle sites.

In order to perform its due diligence, and to secure future grants from the State of South Carolina 250 Commission, the Committee needs to hire a professional to update and refresh the 1996 Architectural and Historical Survey of Jasper County. Once that is complete, the Committee must hire a professional to develop a tourism plan for Jasper County.

Why Jasper County Contributions are Needed

The South Carolina 250 Commission is offering a grant to perform these tasks, but it requires 50% matching funds. The County Asset Assessment & Tourism Plan Grant must be submitted by September 26, 2023. It is anticipated that the cost to update and refresh the historical survey and then to develop the professional tourism plan for Jasper County will be \$30,000. The most that the SC grant will contribute is \$10,000. Therefore the remaining \$20,000 must come from somewhere else. Further, the SC grant requires matching. So in order to receive \$10,000 from SC, the Committee must find matching funds of at least \$10,000. Even that though, will not cover the estimated expenses of the development of the tourism plan.

How Will the Request Funds be Used

In addition to the funds for completing the survey and developing the tourism plan, additional funds are required to print brochures and banners.

The Committee needs to raise awareness among the local community of its goals and plans to bring tourists to the area to celebrate Jasper County's contribution to the American Revolution. Toward that end, the Committee plans on having booths at local fairs, such as Ridgeland's Gopher Hill Festival and Hardeeville's Festival on Main.

Long-Term Goals

With funding from grants, and Jasper County, Ridgeland, Hardeeville, and other grants/funding sources identified, the Committee envisions:

- An upgrade and update of the Old House site with new signage, port-a-potties, an entrance, and parking areas which will accommodate tour buses.
- Adding historical interpretative signs at Old House site, the Millstone Landing at Purrysburg, and Coosawhatchie battle site.
- Develop a “trail” to lead tourists from Old House to Purrysburg and point out recommended stops along the way such as businesses in Ridgeland and Hardeeville, as well as the Morris Center for the Lowcountry.
- Develop a Jasper County booklet that describes the historical events, provides educational trivia of Revolutionary War events, and potential geocaching venture throughout Jasper County.
- Holding events (such as reenactments at the Millstone Landing site, or a commemoration festival at the Old House site).

Anticipated Outcome:

According to a 2022 study by the SC Battleground Preservation Trust, the Revolutionary War battle site at Ninety-Six in upstate SC drew 92,000 visitors to the relatively remote location, which is over 25 miles from I-26 and over 55 miles from I-85. When completed, the tourism to Jasper County could have the potential to attract thousands of the millions of tourists traveling the I-95 corridor.

AGENDA ITEM

14

ORDINANCE

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

ORDINANCE #2023 - _____

**AN ORDINANCE OF
JASPER COUNTY COUNCIL**

Amending Chapter 9, *CIVIL EMERGENCIES*, by creating new Divisions, adopting restrictions and conditions regarding open burning of vegetation, leaves, and other materials, and matters related thereto.

WHEREAS, County Council determines and finds that it is in the best interests of the citizens of Jasper County to enact reasonable restrictions and conditions regarding open burning of leaves, tree branches, and other vegetation and materials as set forth below, both as a reduction in fire hazard and for health and safety reasons;

NOW, THEREFORE, BE IT ORDAINED, by the Jasper County Council, duly assembled and with authority of same, that the above premises be incorporated by reference; and that:

1. Chapter 9, *CIVIL EMERGENCIES*, is amended by creating Divisions in Article VI, *Offenses and Miscellaneous Provisions*, and placing Sections 9-100 through 9-120 in new Division 1, to be entitled *Prohibited Acts; Interference with Fire Apparatus or Scene; Hazardous Materials*.
2. A new Division 2, to be entitled *Open Burning; Notification; Penalties* is created, to include the following new Sections 9-121 through 9-140 as set forth in Item 3 below, with the existing Sections of Article VII, *Charges and*

Cost Recovery, items 9-121 through 9-126 to re re-numbered as Sections 9-141 through 9-146.

3. The following Items are adopted by Council, to be codified in the Jasper County Code of Ordinances as set forth herein:

DIVISION 2

Open Burning; Notification; Penalties

Sec. 9-121. Compliance With Ordinance.

No person shall kindle or maintain any open burning or authorize any open burning to be kindled or maintained within the unincorporated areas of Jasper County, excepted as stated in this ordinance.

“Competent Person” is defined as: an individual who is 18 years of age, has reasonable sound mind and decision-making abilities, who can recognize hazard and take appropriate actions to mitigate the hazard.

"Open burning" is defined as: the outdoor burning of, leaves, tree branches, yard trimmings, clippings and other natural vegetation.

Sec. 9-122. Regulation of Open Burning.

- a. The open burning of leaves, tree branches, yard trimmings, and other vegetative matter originating on the premises of residential properties located within the unincorporated areas of Jasper County shall be permitted, provided that any such open burning must be located no less than seventy-five (75) feet from any structure or road.
- b. Adequate provisions shall be made to prevent the fire from spreading to any area within seventy-five (75) feet of any structure or road.
- c. The open burning as provided for under this section must be started only between the hours of 9:00 a.m. and 3:00 p.m. No combustible material may be added to the fire between 3:00 p.m. of one day and 9:00 a.m. the following day.

d. Any open burning as provided for under this section shall be fully extinguished and shall not allow any smoke to be produced beyond the time of official sunset as determined by The United States Naval Observatory.

c. Open Burning shall not cross property lines onto an adjacent property

Sec. 9-123. Open Burning on Premises of Undeveloped Properties for Purposes of Land Clearing or Right-of-Way Maintenance.

Open burning for purposes of land clearing or right-of-way maintenance on the premises of undeveloped properties upon which no residential structure is situated, shall be permitted, provided that such burning is conducted in accordance with the South Carolina Department of Health and Environmental Control (DHEC) Air Quality Regulations 61-62.2 and South Carolina Code of Laws Section 48-35-10, and provided that authorization for the open burning is obtained from the South Carolina Forestry Commission prior to ignition of the fire.

Sec 9-124. Attendance and Fire Extinguishing Equipment Required for Open Burning; notice to State Forester; adherence to State Law.

a. The open burning permitted under section 2 above shall at all times be attended by a competent person from the time that such fire is kindled, until such time as all embers of said fire have been extinguished.

b. Such responsible person shall have a garden hose connected to a constant water supply, or other fire extinguishing equipment readily available for use, in such quantities and amounts as shall prevent the spread of any open burning beyond permitted areas.

c. Proper notification shall be given to the State Forester or his duly authorized representative or other persons designated by the State Forester by calling the South Carolina Forestry Commission at 1-800-895-7062. The notice shall contain all information required by the State Forester.

The open burning must be conducted in accordance with related State Laws and regulations including, but not limited to, DHEC Air Quality Regulations 61-62.2 and 61- 62.4 and South Carolina Code of Laws Section 48-35-10.

Sec 9-125. Fires Shall Be Prohibited as Follows.

- a. The County Fire Chief and or his/her designee, may prohibit open burning during such times as may be necessary depending upon atmospheric conditions, local weather patterns, or other such circumstances as would exist to make open burning hazardous.
- b. The only materials that may be lawfully burned as permitted in Section 2 above, are those vegetative materials which shall have originated on the site in which they are proposed to be included in any open burning. All other materials or items are prohibited from being burned on properties located within the unincorporated areas of Jasper County, which materials shall include, but not be limited to; asphalt and asphaltic materials, paint, plastics, metals, treated wood, paper, petroleum products, demolition debris, dead animals, construction debris, household chemicals, household garbage, tires, trade waste and cardboard.

Sec. 9-126. Criteria for Determining When Open Burning Deemed Hazardous.

When a Red Flag Alert has been declared in Jasper County by the South Carolina Forestry Commission, it shall automatically constitute a hazardous condition. Thereafter, no open burning of any material, vegetative or otherwise, will be permitted within the unincorporated areas of the County for so long as the alert may remain active. Jasper County Council may also from time to time establish by resolution, reasonable criteria to assist in determining what conditions are present that may pose a hazardous situation for the burning of outdoor fires. These criteria may include, but are not limited to, air quality standards, fire danger indexes, atmospheric conditions, or local weather patterns. Additionally, if the Fire Chief and or his designee certify in writing to the County Administrator that any current condition or set of conditions pose a present or imminent hazardous situation for purposes of banning open burning, then a ban shall take immediate effect and may last for a period of no more than thirty (30) days or until such time as County Council may have had an opportunity to hear and render a decision on the necessity of an open burning ban, whichever is shorter.

Sec. 9-127. Prohibition on Open Burning in County Maintained Drainage Ditches and on County Maintained Roads and Right-of-Way.

Open burning of any material, vegetative or otherwise, shall be prohibited on all County maintained roads and rights-of-way, and within County maintained drainage ditches. At no time shall the ash or remnants of open burning be allowed to enter County maintained drainage ditches or upon County maintained roads and rights-of-way.

Sec. 9-128. Exemptions.

- a. Nothing in this Ordinance shall apply to regulate the burning of vegetative material as related to the management of forestry, wildlife, or agriculture areas, as expressly authorized by the State Forestry Commission.
- b. Nothing in this Ordinance shall be meant to restrict open burning in connection with the preparation of food for consumption, campfires or other like fires intended solely for recreational purposes, or those fires necessary for religious or ceremonial occasions, or for providing human warmth, so long as said fires are maintained in a safe manner.
- c. Nothing in this Ordinance shall apply to the open burning of storm debris that shall result from major storms such as severe thunderstorms, tornadoes, or hurricanes. Any fire that is contemplated under the exemption contained in this section shall require the review and approval of the County Fire Chief and his/her designee.
- d. Nothing in this Ordinance shall apply to limit the training of fire-fighting personnel so long as the kindling of any such fire has been authorized by an appropriate governmental entity, has been done in consultation with the South Carolina Department of Health and Environmental Control, is solely for the purposes of fire-fighter training, and is immediately extinguished upon the completion of all training activities.

Sec. 9-129. Hazardous or Toxic Materials.

At no time shall hazardous or toxic materials be burned within the unincorporated areas of Jasper County.

Sec. 9-130. Enforcement and Penalties.

Enforcement of this Ordinance shall fall under the jurisdiction of both the Jasper County Fire Marshal's Office, Officers of the Jasper County Sheriff's Office and Jasper County Codes Enforcement shall have the authority to exercise full discretion in deciding whether to issue a warning, subpoena or a citation when investigating complaints that arise under this Ordinance. Any violation of this Ordinance may be punishable by a fine of up to \$500.00, or up to 30 days imprisonment.

4. If any section, clause, paragraph, sentence or phrase of this ordinance, or the application thereof to any person or circumstances shall, for any reason, be held to be invalid or unconstitutional, such invalid section, clause, paragraph, sentence, phrase or application is hereby declared to be severable; and any such invalid or unconstitutional section, clause, paragraph, sentence, phrase or application shall in no way affect the remainder of this ordinance; and it is hereby declared to be the intention of the County Council that the remainder of this ordinance would have been passed notwithstanding the invalidity or unconstitutionality of any section, clause, paragraph, sentence or phrase thereof.
5. This ordinance shall take effect upon approval by Council.

Martin L. Sauls, IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2023-__

First Reading: _____

Public Hearing: _____

Second Public Hearing: _____

Second Reading: _____

Third Reading: _____

Adopted: _____

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

AGENDA ITEM

15

PUBLIC HEARING
&
ORDINANCE



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

Lisa Wagner, CFM
Director of Planning and Building Services
lwagner@jaspercountysc.gov

Jasper County Council Staff Report

Meeting Date:	August 21, 2023
Project:	Zoning Map Amendment – Community Commercial
Applicants:	Glover Real Estate, LLC; CDA Investments, LLC; City Electric Supply Company
Tax Map Numbers:	6 acre portion of 029-00-02-028; 029-00-02-061; 029-00-02-079 and 029-00-02-086
Submitted For:	Public Hearing and 2 nd Reading
Recommendation:	Planning Commission Recommends Approval of Community Commercial

Description: The Applicants request a Zoning Map Amendment to have the following properties designated as Community Commercial:

- A 6-acre portion of TMS #029-00-02-028, located along Honey Hill Road, which is currently undeveloped (application submitted by Glover Real Estate);
- TMS #029-00-02-061 consisting of 5 acres, located at 1210 Honey Hill Road, which is developed with an existing warehouse and is utilized by a roofing contractor for storage and office space (application submitted by CDA Investments);
- TMS #029-00-02-079 consisting of 5 acres located at 1144 Honey Hill Road, which is currently developed with an existing warehouse and is utilized by a cabinet contractor for storage and office space (application submitted by City Electric Supply);
- TMS #029-00-02-086 consisting of 5 acres located along Honey Hill Road and is currently undeveloped, application by City Electric.

The subject properties are all zoned Rural Preservation except for the 5-acre parcel owned by CDA Investments, which is currently zoned Residential. The applicants would like to have their properties re-zoned to Community Commercial to provide conformity for the existing businesses and would like to build flex space on the undeveloped properties, for the purpose of providing warehouse and office space for contractors.

Analysis: The Zoning Map Amendment applications and requests are reviewed by considering the following factors:

- **Comprehensive Plan:** According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Urban Transition”. These areas are pockets of unincorporated Jasper County that are partially or entirely surrounded by either the City of Hardeeville or the Town of Ridgeland. In many instances, these areas were already developed as the municipalities expanded their municipal boundaries through annexation. For areas that experience new development or redevelopment within the Urban Transition zones, consideration should be given to working with the adjacent municipality for annexation.

The applicant has spoken to the City of Hardeeville about annexation, but Hardeeville has not shown any interest in annexation.

- **Adjacent Zoning:** The adjacent parcels are zoned Residential and Rural Preservation with the city limits of Hardeeville nearby.
- **Adjacent Land Use:** Adjacent land uses are commercial, residential and vacant property.
- **Traffic and Access:** The subject property is accessed by Honey Hill Road, which is a two lane state maintained road classified as a local road.

Planning Commission Recommendation: From a land use perspective and the fact that some of these properties are currently developed with commercial structures, the Planning Commission recommends approval of Community Commercial

Attachments:

1. Applications by the applicants
2. Site Location Map provided by the applicants
3. Ordinance
4. Aerial map of property and surrounding area
5. Aerial map with zoning layer

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2023 - _____

AN ORDINANCE

To amend the Official Zoning Map of Jasper County so as to transfer three (3) properties located along Honey Hill Road, bearing Jasper County Tax Map Numbers: 029-00-02-028, a 6-acre portion as shown on the attached exhibit; 029-00-02-079; and 029-00-02-086, from the Rural Preservation Zone to the Community Commercial Zone, and one (1) property located along Honey Hill Road bearing Jasper County Tax Map Number 029-00-02-061 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

WHEREAS, the owners of the parcels bearing Jasper County Tax Map Numbers 029-00-02-028, a 6-acre portion; 029-00-02-079, consisting of 5 acres; and 029-00-02-086 consisting of 5 acres, located along Honey Hill Road, has requested rezoning of the parcels on the Official Zoning Map of Jasper County from the Rural Preservation Zone to the Community Commercial Zone and the owner of the parcel bearing Jasper County Tax Map Number 029-00-02-061, consisting of 5 acres, located along Honey Hill Road, has requested rezoning of the parcel on the Official Zoning Map of Jasper County from the Residential Zone to the Community Commercial Zone, and the property owners submitted those requests to the Jasper County Planning Commission and County Council; and

WHEREAS, the Jasper County Planning Commission has concurred with the recommendations of the staff report as reflected in this Ordinance and recommends approval by Council; and

WHEREAS, this matter is now before the Jasper County Council for determination;

NOW THEREFORE BE IT ORDAINED, by the Jasper County Council in council duly convened and by the authority of the same:

1. Jasper County Council finds that in accordance with the staff report and the recommendation of the Planning Commission, the proposed zoning is consistent with the continued pattern of growth in the vicinity and is in harmony with the Jasper County Comprehensive Plan. Good cause having been shown, three (3) parcels bearing Jasper County Tax Map Number 029-00-02-028, consisting of a 6-acre portion as shown on the attached exhibit; 029-00-02-079, consisting of 5 acres; and 029-00-02-086, consisting of 5 acres, located along Honey Hill Road shown on the Jasper County Official Zoning Map in the Rural Preservation Zone shall be transferred to the Community Commercial Zone, and one (1) parcel bearing Jasper County Tax Map Number 029-00-02-061 from the Residential Zone shall be transferred to the Community Commercial Zone.
2. This ordinance shall take effect upon approval by Council.

L. Martin Sauls IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2023-__

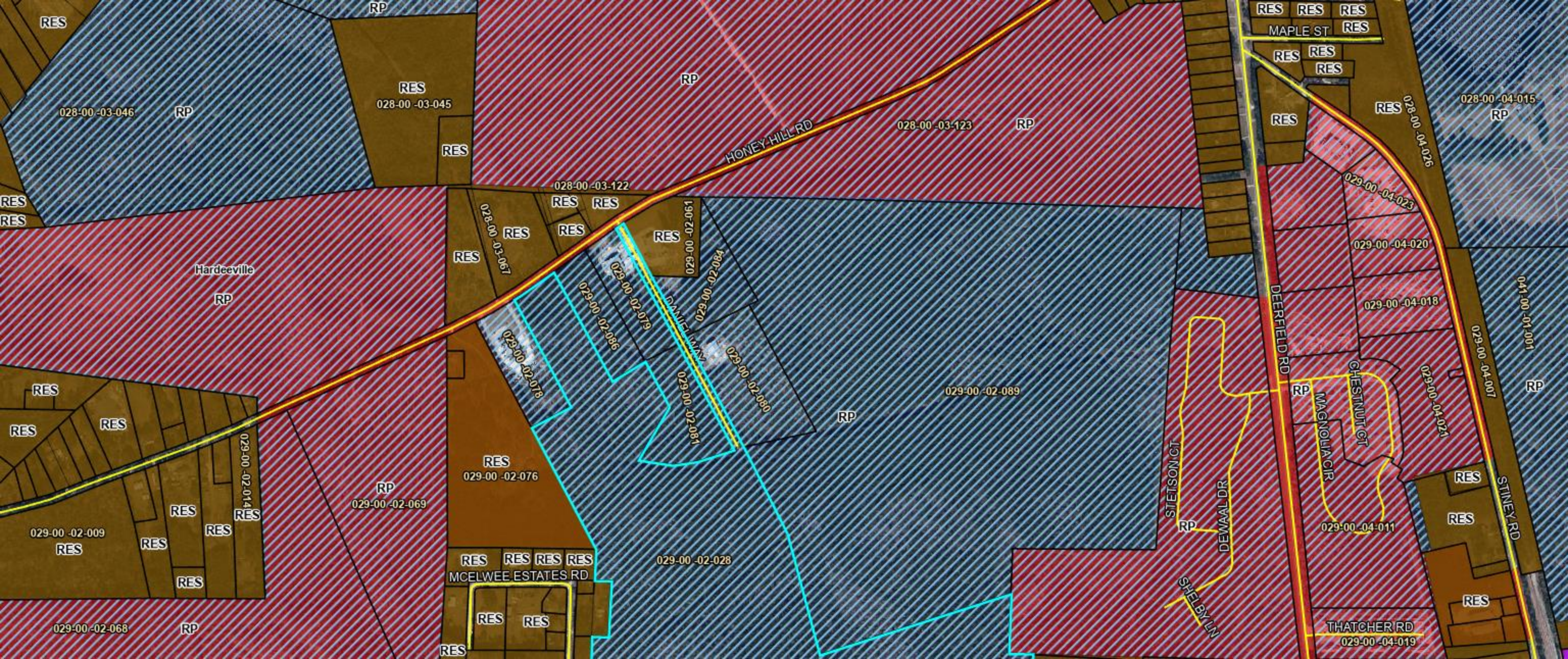
First Reading: July 17, 2023
Second Reading: August 21, 2023
Public Hearing: August 21, 2023
Adopted: _____

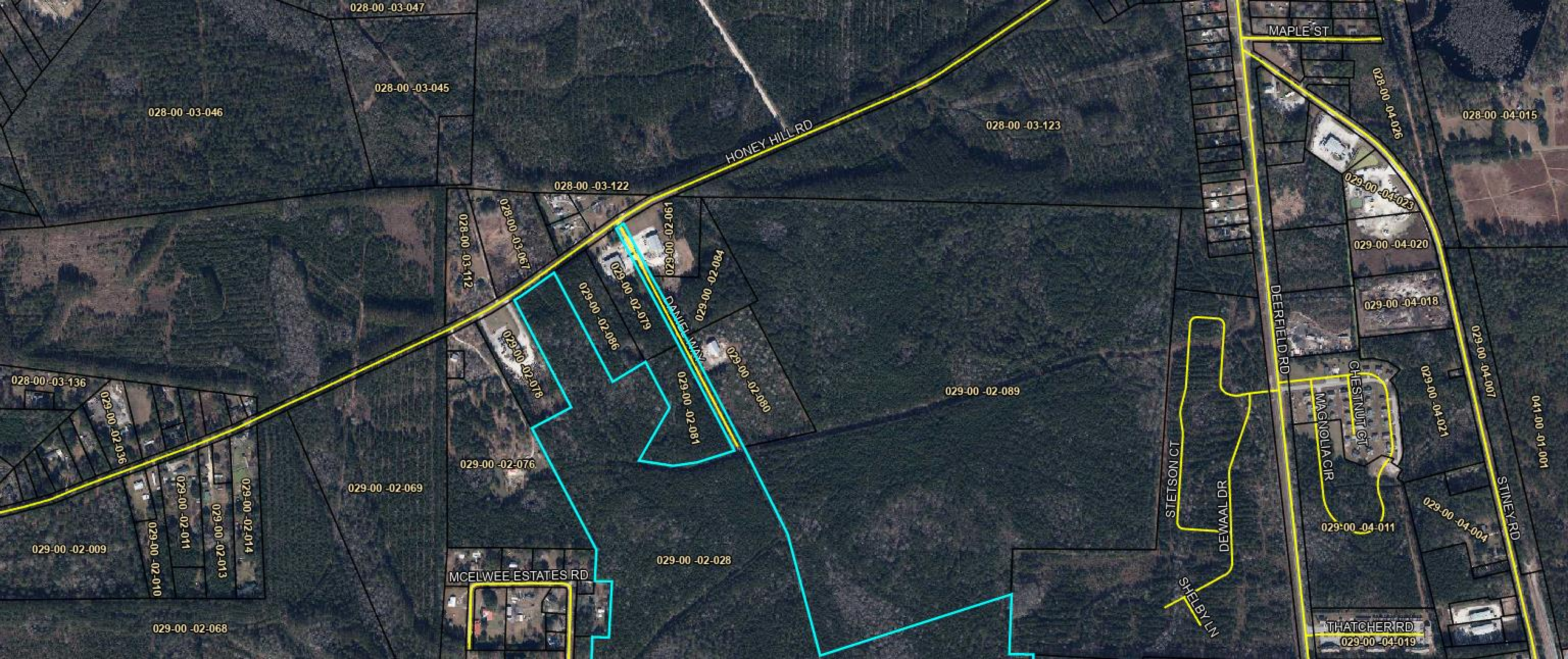
Considered by the Jasper County Planning Commission at it's meeting on
June 20, 2023 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date





028-00 -03-046

028-00 -03-045

028-00 -03-047

028-00 -03-123

028-00 -04-015

028-00 -04-026

028-00 -03-122

029-00 -04-023

029-00 -04-020

029-00 -04-018

028-00 -03-112

028-00 -03-067

029-00 -02-061

029-00 -02-084

029-00 -02-079

DANIEL WAY

029-00 -02-080

029-00 -02-086

029-00 -02-081

029-00 -02-078

029-00 -02-089

029-00 -04-007

041-00 -01-001

029-00 -02-076

CHESTNUT CT

MAGNOLIA CIR

029-00 -04-011

029-00 -04-004

SINEY RD

028-00 -03-136

029-00 -02-036

029-00 -02-011

029-00 -02-013

029-00 -02-014

029-00 -02-069

029-00 -02-009

029-00 -02-010

029-00 -02-068

MCELWEE ESTATES RD

029-00 -02-028

STETSON CT

DEWAAL DR

SHELBY LN

THATCHER RD

029-00 -04-019

AGENDA ITEM

16

ORDINANCE



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

Lisa Wagner, CFM
Director of Planning and Building Services
lwagner@jaspercountysc.gov

Jasper County Council Staff Report

Meeting Date:	August 21, 2023
Project:	Zoning Text Amendment – Article 6:1 – Table 1, <i>Use Regulations</i> , Article 7:3 – Table 1, <i>Schedule of Lot Area, Yard, Setback, and Density</i> , and Article 11:7, <i>Industry Specific Conditional Use Regulations</i> , Sections 11:7.31, <i>Duplexes</i> , 11:7.32 <i>Townhouses</i> , and 11:7.33 <i>Patio Homes</i>
Applicant:	Staff Initiated
Submitted For:	Action
Recommendation:	Planning Commission Recommends Approval

Description: The Planning Commission expressed concern about duplexes being allowed in rural residential areas where no public water or sewer systems are available, which led to a review of housing products that are allowed at a higher rate of density. Currently, the Zoning Ordinance allows duplexes to be built in the Residential Zoning District at a rate of 5 units per acre and 1 unit per acre in the Rural Preservation Zoning District. The Residential Zoning District allows townhouses to be developed with a density of 21 units per acre and patio homes to be developed with a density of 6.70 acres. The Residential Zoning District encompasses much of the rural areas in Jasper County and the Planning Commission recommends preserving the rural areas of Jasper County.

Analysis: The specific sections of the ordinance and the proposed changes to the Jasper County Zoning Ordinance are outlined below. Strikethroughs represent language to be deleted, new language is shown in red and an explanation of each Article of the Zoning Ordinance to be amended is shown in blue.

1. Remove Duplexes as a conditional use from the Residential(R), Residential Ridgeland Lakes (RRL) and Rural Preservation (RP) Zoning Districts. Remove Townhouses and Patio Homes as a conditional use in the Residential (R), Residential Ridgeland Lakes (RRL) Zoning Districts from the Use Chart:

Article 6, Use Regulations, Section 6.1 - Table 1

Residential Uses	NAICS	R	RRL	RP	RC	CC	GC	ID	RE	MB
Site Built Housing	NA									
Existing Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Second Single Family Residential Dwelling Unit (Sec. 11:7.30)	NA	C	N	C	N	C	N	N	N	N
Duplexes (Sec. 11:7.31)	NA	C N	C N	C N	N	C	C	N	N	N
Multi-Family, Apartments (Sec. 11:7.31.A)	NA	N	N	N	N	C	C	N	N	N
Townhouses (Sec. 11:7.32)	NA	C N	C N	N	N	C	C	N	N	N
Patio Homes (Sec. 11:7.33)	NA	C N	C N	N	N	C	C	N	N	N

2. Add a condition to Article 11:7.31, 11:7.32, and 11:7.33 to require duplexes, townhouses, and patio homes to be located in areas where water and sewer is available and to clarify these types of housing products that are built for rental purposes will be considered a major subdivision.

Article 11:7.31 Duplexes:

Due to the unique design features of duplex housing, the following supplemental design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres in the Residential, Community Commercial and General Commercial Zoning Districts.
3. Such projects shall have a minimum of two (2) acres and a maximum of ten (10) acres in the Rural Preservation District.
4. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table1.
5. Building orientation shall be representative of that exhibited by surrounding single-family development.
6. The size, bulk, height and scale of proposed structures shall reflect the characteristics of existing single-family structures in the area.
7. At least one duplex front door should be visible from the front of the structure.
8. Entrances should be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.

9. Not less than 10 percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
10. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
11. When a duplex development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a master plan has been approved, and must comply with major site plan requirements,

Article 11:7.32 Townhouses:

Due to the unique design features of townhouses, the following supplemented design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
2. Such projects shall have a minimum of one and half (1-1/2) acre.
3. Not more than eight (8) or fewer than three (3) townhouses may be joined together, with approximately the same front line (may be staggered).
4. Minimum distance between rows of buildings shall be not less than 20 feet.
5. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
6. Sidewalks not less than four (4) feet in width shall be provided along the front property line of each project, building.
7. Not less than 10 percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
8. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
9. When a townhouse development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.

Article 11:7.33 Patio Homes:

Due to the unique design features of patio homes, the following supplemental design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
 2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres.
 2. ~~For units in the applicable areas of the Levy Limehouse Overlay District (LLOD) or where water and sewer service is provided in accordance with Article 6 of the Jasper County Land Development Regulations, the lot area, yard, and setbacks shall be as prescribed in Section 8:4. For units not meeting these requirements, the minimum lot size shall be .5 acre and the yard, and setbacks shall be as prescribed in Section 7:3, Table 1.~~
 3. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
 4. Not less than ten percent (10%) of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
 5. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
 6. When a patio home development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.
-
3. Change minimum lot sizes for Duplexes, Townhouses, and Patio Homes in the Residential (R), Community Commercial (CC), and General Commercial Zoning Districts for the purpose of reducing allowed density. Increase setbacks for Duplexes, Townhouses, and Patio Homes.

Article 7:3, Table 1, Schedule of Lot Area, Yard, Setback, and Density

Section 7:3 Table 1:

Schedule of Lot Area, Yard, Setback, and Density

By District

	R	RRL	RP	RC	CC	GC	ID	RE	MB
Minimum Lot per Unit									
Non Residential Area (SF)	40,000	N/A	2 acres	2 acres	10,000	10,000	12,000	2 acres	12,000
Residential									
Single Family	.5 acre	7,800	1 acre	.5 acre	(B)	(A)	N/A	N/A	N/A
Patio	6,500 N/A	N/A	N/A	N/A	10,000 (B)	3,500	N/A	N/A	N/A
Duplex	8,500 N/A	N/A	2 acres N/A	N/A	5,000 (B)	5,000 (A)	N/A	N/A	N/A
Townhome	2,000 N/A	N/A	N/A	N/A	1,800 3,500	1,800 2,000	N/A	N/A	N/A

(A) 4 Per Acre For Single Family Dwelling Units; 6 Per Acre For Attached Units.

(B) 2 Per Acre For Single Family Dwelling Units; 4 Per Acre For Attached Units.

Minimum Yard & Building Setback (feet)

	Multifamily, Single-Family & Non-Residential Uses									PER UNIT	Patio	Duplex	Town-home
	R	RRL	RP	RC	CC	GC	ID	RE	MB	All Districts			
Minimum lot width	50	50	200	200	80	80	90	200	90	Minimum lot width	45	50	20
Front										Front			
Major Street (Multi-Lane)	60	60	60	60	60	60	60	200	60	Major Street (Multi-lane)	60*	60*	60*
Major Street (Two-lane)	35	35	45	45	35	35	45	200	45	Major Street (Two-lane)	25 35	25 35	25 35
Minor Street	25	15	25	25	25	25	25	150	25	Minor Street	45 25	45 25	40 20
Side										Side			
Residential	10	10	25	50	5	5	N/A	N/A	N/A	Interior	N/A	0	0
Non-Residential	10	N/A	25	50	5	5	10	100	10	Street-Side/Exterior	5 10	10	10
Rear										Rear			
Residential	25	20	25	100	10	10	N/A	100	N/A	Residential	25	20 25	5 15
Non-Residential	40	N/A	50	150	10	10	15	100	15	Non-Residential	N/A	N/A	N/A

*Access to units along a multi-lane major street shall generally have a common access onto a frontage road or similar, which shall be considered a minor street; the frontage road or similar may encroach into the 60' front setback from the multi-lane major street.

Recommendation: Planning Commission recommends approval of the Zoning Text Amendment as outlined above and reflected in the proposed ordinance, which is attached to this staff report.

Attachments:

1. Proposed Ordinance for Zoning Text Amendment – Article 6:1 Use Regulations, Article 7:3 - Table 1 Schedule of Lot Area, Yard, Setback, and Density, Article 11:7.31, 11:7.32, and 11:7.33

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2023-____

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To Amend Article 6:1 – Table 1, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32 *Townhouses*; and 11:7.33, *Patio Homes* of the Jasper County Zoning Ordinance, to remove duplexes, townhouses, and patio homes as a conditional use from certain Zoning Districts, add conditional use requirements, increase the setback requirements and reduce the allowed density for duplexes, townhomes, and patio homes.

WHEREAS, one of the principles of the Jasper County Comprehensive Plan and the Jasper County Zoning Ordinance is to keep Jasper rural; and

WHEREAS, the Jasper County Zoning Ordinance regulates the location and use of buildings, structures and land, the size of yards, the density and distribution of population, and establishes development standards; and

WHEREAS, the Planning Commission recognizes that housing products such as, patio homes, duplexes, and townhouses are a housing product that can benefit affordable housing, but should be located where infrastructure exists; and

WHEREAS, the Planning Commission has reviewed the Official Jasper County Zoning Map and has determined that the Residential Zoning District encompasses much of the rural areas of Jasper County; and

WHEREAS, the Planning Commission recommends that consideration should be given to create other types of Zoning Districts to allow Patio Homes, Duplexes, and Townhouses near the boundaries of the municipal limits; and

WHEREAS, the Council finds it is in the public interest to invoke the pending ordinance doctrine upon first reading of this Ordinance, and announces a public hearing to be held prior to or at second reading of this Ordinance, tentatively scheduled for the September 5, 2023 regularly scheduled County Council meeting; and

WHEREAS, certain projects that were exempt from the moratorium and have filed completed applications will not be required to comply with the Jasper County Zoning Ordinance as amended; however will have to comply with the Jasper County Zoning Ordinance in effect as of August 20, 2023; and

WHEREAS, the Jasper County Planning Commission has recommended approval by County Council to amend Article 6:1 – Table, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; and Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32, *Townhouses*; and 11:7.33, *Patio Homes* of the Jasper County Zoning Ordinance, to remove duplexes, townhouses, and patio homes as a conditional use from certain Zoning Districts, add conditional use requirements, increase the setback requirements and reduce the allowed density for duplexes, townhomes, and patio homes.

WHEREAS, this matter is now before the Jasper County Council for determination;

NOW THEREFORE, BE IT ORDAINED, by the Jasper County Council duly assembled and by the authority of same:

1. Amend Jasper County Zoning Ordinance, Article 6:1 – Table 1 to read as follows:

Article 6, Use Regulations, Section 6.1 - Table 1:

Residential Uses	NAICS	R	RRL	RP	RC	CC	GC	ID	RE	MB
Site Built Housing	NA									
Existing Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Second Single Family Residential Dwelling Unit (Sec. 11:7.30)	NA	C	N	C	N	C	N	N	N	N

Duplexes (Sec. 11:7.31)	NA	C N	C N	C N	N	C	C	N	N	N
Multi-Family, Apartments (Sec. 11:7.31.A)	NA	N	N	N	N	C	C	N	N	N
Townhouses (Sec. 11:7.32)	NA	C N	C N	N	N	C	C	N	N	N
Patio Homes (Sec. 11:7.33)	NA	C N	C N	N	N	C	C	N	N	N

2. Amend Jasper County Zoning Ordinance, Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density* as shown on Exhibit A attached.

3. Amend Jasper County Zoning Ordinance, Article 11:7:31, *Duplexes* to read as follows:

Article 11:7.31 Duplexes:

Due to the unique design features of duplex housing, the following supplemental design requirements shall apply:

1. *Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems are strictly prohibited.*
2. *Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres in the Residential, Community Commercial and General Commercial Zoning Districts.*
3. *Such projects shall have a minimum of two (2) acres and a maximum of ten (10) acres in the Rural Preservation District.*
4. *For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table1.*
5. *Building orientation shall be representative of that exhibited by surrounding single-family development.*
6. *The size, bulk, height and scale of proposed structures shall reflect the characteristics of existing single-family structures in the area.*
7. *At least one duplex front door should be visible from the front of the structure.*
8. *Entrances should be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.*

9. *The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.*
10. *When a duplex development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved.*

4. Amend Jasper County Zoning Ordinance, Article 11:7:32, Townhouses to read as follows:

Article 11:7.32 Townhouses:

Due to the unique design features of townhouses, the following supplemented design requirements shall apply:

1. *Such projects shall be located in areas that are served by water and sewer.*
2. *Such projects shall have a minimum of one and half (1-1/2) acre.*
3. *Not more than eight (8) or fewer than three (3) townhouses may be joined together, with approximately the same front line (may be staggered).*
4. *Minimum distance between rows of buildings shall be not less than 20 feet.*
5. *For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.*
6. *Sidewalks not less than four (4) feet in width shall be provided along the front property line of each project, building.*
7. *Not less than 10 percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.*
8. *The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.*
9. *When a townhouse development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved.*

5. Amend Jasper County Zoning Ordinance, Article 11:7:33, *Patio Homes* to read as follows:

Article 11:7.33 Patio Homes:

Due to the unique design features of patio homes, the following supplemental design requirements shall apply:

1. **Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.**
2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres.
2. ~~For units in the applicable areas of the Levy Limehouse Overlay District (LLOD) or where water and sewer service is provided in accordance with Article 6 of the Jasper County Land Development Regulations, the lot area, yard, and setbacks shall be as prescribed in Section 8:4. For units not meeting these requirements, the minimum lot size shall be .5 acre and the yard, and setbacks shall be as prescribed in Section 7:3, Table 1.~~
3. **For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.**
4. Not less than ten percent (10%) of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
5. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
6. **When a patio home development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.**

Chairman

ATTEST:

**Wanda Simmons
Clerk to Council**

ORDINANCE 2023- _____

First Reading: _____

Second Reading: _____

Public hearing: _____

Adopted: _____

Considered by the Jasper County Planning Commission at its meeting on
August 8, 2023.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

Section 7:3 Table 1:

Schedule of Lot Area, Yard, Setback, and Density

By District

	R	RRL	RP	RC	CC	GC	ID	RE	MB
Minimum Lot per Unit									
Non Residential Area (SF)	40,000	N/A	2 acres	2 acres	10,000	10,000	12,000	2 acres	12,000
Residential									
Single Family	.5 acre	7,800	1 acre	.5 acre	(B)	(A)	N/A	N/A	N/A
Patio	6,500 N/A	N/A	N/A	N/A	40,000 (B)	3,500	N/A	N/A	N/A
Duplex	8,500 N/A	N/A	2 acres N/A	N/A	5,000 (B)	5,000 (A)	N/A	N/A	N/A
Townhome	2,000 N/A	N/A	N/A	N/A	1,800 3,500	1,800 2,000	N/A	N/A	N/A

(A) 4 Per Acre For Single Family Dwelling Units; 6 Per Acre For Attached Units.

(B) 2 Per Acre For Single Family Dwelling Units; 4 Per Acre For Attached Units.

Minimum Yard & Building Setback (feet)

	Multifamily, Single-Family & Non-Residential Uses									PER UNIT	Patio	Duplex	Town-home
	R	RRL	RP	RC	CC	GC	ID	RE	MB				
Minimum lot width	50	50	200	200	80	80	90	200	90	Minimum lot width	45	50	20
Front										Front			
Major Street (Multi-Lane)	60	60	60	60	60	60	60	200	60	Major Street (Multi-lane)	60*	60*	60*
Major Street (Two-lane)	35	35	45	45	35	35	45	200	45	Major Street (Two-lane)	25 35	25 35	25 35
Minor Street	25	15	25	25	25	25	25	150	25	Minor Street	15 25	15 25	10 20
Side										Side			
Residential	10	10	25	50	5	5	N/A	N/A	N/A	Interior	N/A	0	0
Non-Residential	10	N/A	25	50	5	5	10	100	10	Street-Side/Exterior	5 10	10	10
Rear										Rear			
Residential	25	20	25	100	10	10	N/A	100	N/A	Residential	25	20 25	5 15
Non-Residential	40	N/A	50	150	10	10	15	100	15	Non-Residential	N/A	N/A	N/A

*Access to units along a multi-lane major street shall generally have a common access onto a frontage road or similar, which shall be considered a minor street; the frontage road or similar may encroach into the 60' front setback from the multi-lane major street.

AGENDA ITEM

17

ORDINANCE

STATE OF SOUTH CAROLINA
COUNTY OF JASPER
ORDINANCE # 0-2023-_____

AN ORDINANCE OF JASPER COUNTY COUNCIL

To establish a Board of Parks and Recreation for Jasper County, South Carolina by adopting a new, Chapter 2, Article IV, Division 4 in the Jasper County Code of Ordinances

WHEREAS, The Jasper County Council should periodically review County Ordinances for relevance and adjustment and incorporation; and

WHEREAS, The Jasper County Council realizes a greater need for citizen involvement; and

WHEREAS, The 10 year Comprehensive Plan includes enhancements in Recreation to match future growth; and

WHEREAS, The Jasper County Council feels there is need to have the citizens involved in the planning and execution of such plans; and

WHEREAS, The authority to establish and constitute this Board is provided in the Code of Laws of South Carolina Sections 4-9-30 and 4-9-170;

NOW THEREFORE, BE IT ORDAINED, by the Jasper County duly assembled and by the authority of the same:

1. There is hereby created a Parks and Recreation Board for Jasper County by the adoption of the following Ordinance provisions to the Jasper County Code creating a new Chapter 2, Article IV, Division 4, *Parks and Recreation Board*, to be codified as new Sections 2-151 through 2-180 (replacing the prior Division 4, *Hospital Commission*, which was abolished by Ordinance dated November 4, 1996):

DIVISION 4. PARKS AND RECREATION BOARD

Sec. 2-151. Establishment of the Jasper County Parks and Recreation Board.

The Jasper County Recreation Advisory Board is hereby established by the authority of the Jasper County Council. The board must act in an advisory capacity to the County Administrator and County Council in matters affecting parks and recreation. The board's actions are not binding upon the county.

Sec. 2-152. Responsibilities.

The Jasper County Recreation Board is specifically charged with the following advisory responsibilities;

- (1) Defining objectives and goals of the Parks and Recreation Department, including but not limited to the formulation of departmental master planning necessary to develop a broad variety of programs, facilities, and services that will meet the needs of the community and evaluate budgetary considerations for such.
- (2) Establishing rules, regulations and departmental policies for recreational programs, events, and facilities.
- (3) Providing advice and recommendations to county council with respect to recreation programs, events, facilities, resources and needs of the department.
- (4) Establishing and maintaining an effective public relations program and maintaining close liaison and coordination with other community agencies and governments.
- (5) Encouraging broad citizen involvement in the development and use of recreational programs and facilities.

Sec. 2-153. Appointment, terms, and removal.

- (1) The Jasper County Recreation Advisory Board must be appointed by and serve at the pleasure of the County Council. The Board will consist of 7 Board Members. The Board Members must be appointed by a majority vote of the County Council for terms of four (4) years and until their successors are appointed and qualify. Vacancies must be filled for the unexpired portion of the term in the same manner as the original appointment. Board member's terms must be appropriately staggered; accordingly, for appointments made in calendar year 2023, three (3) of the seven (7) appointments for the initial appointments for 2023 shall be for a term of two years. All terms shall end on December 31, and for the initial appointees, all terms shall be deemed to commence on January 1, 2024, without assessing the period of time from their initial appointment until December 31, 2023 against their term of office.
- (2) Each councilperson will nominate a citizen from their District. The two remaining Members will be nominated by the County Administrator. Elected officials are not eligible to hold a position on the council. Each nominee will be appointed by a simple majority of the council. In the event the nominee is not appointed by the council by a majority vote, the person nominating that person must be entitled to nominate additional persons for consideration.

- (3) The Council Chairperson may appoint a liaison to represent The County Council.
- (4) The Board must elect a chairperson and vice chairperson upon a majority vote, and each officer shall serve a term of one year, and shall be eligible to serve successive terms. The Administrator must assign the staff member who performs the specific duties under Section 2-79(7) of the County Code of Ordinances.
- (5) Board members may be removed by the County council for cause pursuant to Section 2-78(b)(8), including but not limited to excessive absenteeism, which may be shown by reference to approved minutes of meetings.

Sec 2-154. Qualifications

Members of the Recreation Board must meet the qualifications for appointments as set forth in Section 2-78 of the Jasper County Code of Ordinances, as well as, items set out in Section 2-155 of this ordinance.

Sec. 2-155. Financial management of funds.

Members of the recreation board serve without compensation. The County Administrator is hereby authorized and empowered to pay, from the general fund line item as approved by County Council, such expenses as the board may incur in the performance of committee duties.

Sec. 2-170 Meetings

The Jasper County Parks and Recreation Board must establish regular meeting times and place in accordance with Jasper County Ordinance Section 2-79. Its meetings must be public and proposed minutes of the meetings must be provided to the Administrator within ten (10) days of each meeting. The Jasper County Parks and Recreation Board must report its activities and plans to the County council annually before **July 1** of every year.

Sec. 2-171 – 2-180 Reserved.

2. Provisions of ordinances previously adopted by County Council, which are not consistent with the restrictions and requirements of this Ordinance 0-2023-____ are deemed superseded.

3. If any section, clause, paragraph, sentence or phrase of this ordinance, or application thereof any person or circumstances must, for any reason be held to be invalid or unconstitutional. The invalid section, clause paragraph, sentence, phrase or application shall no way affect the remainder of this ordinance: and is hereby declared to be the intention of the County Council that the remainder of this ordinance would have passed notwithstanding the

invalidity or unconstitutionality of any section, clause paragraph, sentence or phrase thereof.

4. This ordinance must take effect upon approval by Council.

L. Martin Sauls. IV, Chairman

Attest:

Wanda Simmons, Clerk to Council

Ordinance 0-2023- _____

First Reading:

Public Hearing:

Second Reading:

Third Reading:

Adopted:

Reviewed for form and draftsmanship by Jasper County Attorney

David L. Tedder

Date

AGENDA ITEM

18

ORDINANCE

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

ORDINANCE NUMBER O-2023-_____

AN ORDINANCE OF JASPER COUNTY COUNCIL

TO AMEND JASPER COUNTY ORDINANCE O-2022-17 FOR FISCAL YEAR 2023 JASPER COUNTY BUDGET TO PROVIDE FOR AMENDMENTS TO THE BUDGET AND TO CARRYOVER APPROVED LAPSING FUNDS TO FISCAL YEAR 2024, AND TO AMEND JASPER COUNTY ORDINANCE O-2023-09 FOR FISCAL YEAR 2024 JASPER COUNTY BUDGET TO PROVIDE FOR AMENDMENTS TO THE BUDGET RESULTING FROM THE CARRYOVER OF APPROVED LAPSING FUNDS FROM FISCAL YEAR 2023 AND TO CORRECT AN ERROR IN SECTION 2 OF THE BUDGET REGARDING A MATHEMATICAL ERROR.

WHEREAS, Jasper County Council approved Ordinance O-2022-17 Fiscal Year 2022-2023 Operating and Capital Budget on June 6, 2022, and

WHEREAS, Jasper County Council approved Ordinance O-2023-09 Fiscal Year 2023 – 2024 Operating and Capital Budget on June 20 2023, and

WHEREAS, Ordinance O-2022-17 provides for Lapsing of Funds and Continuing of Appropriations for Subsequent Year, and

WHEREAS, Ordinance O-2022-17 provides that specific items budgeted in the 2022 - 2023 fiscal year for which unforeseen circumstances prevented the funds from being spent during the current year may be a carryover appropriation into the next succeeding fiscal year with the approval of the County Administrator and County Council, and

WHEREAS, Council may approve transfers of funds throughout the fiscal year, and

WHEREAS, those transfers must be recognized and ratified as authorized by Section 7 of Ordinance 2022-17.; and

WHEREAS, the adopted budget in Section 2 regarding the Appropriation for the Jasper County School District inadvertently included a calculated School Debt Revenue and Appropriation based upon the use of an incorrect value of the mill to be used, which does not increase the millage rate;

NOW THEREFORE, BE IT ORDAINED that the following budget amendments and carry over appropriations set forth in Section 1 below be made to the FY 2022-2023 and FY 2023-2024 Jasper County Operating and Capital Budget, and the corrections to the Jasper County School District set forth in Section 2 below be made in the following manner:

Section 1. Budget Amendment regarding Carry Over Appropriations and Lapsing Funds. The following adjustments are made to the 2022-2023 Fiscal Year Budget and the listed budget items are added to the 2023-2024 Fiscal Year Budget.

Jasper County
 FY23 and FY24 Budget Amendment and Lapsing Funds Ordinance
 1st Reading
 Monday, August 21, 2023

Account	Fiscal Year 2023 Budget Amendments			Fiscal Year 2024 Budget Amendments			Explanation	
	Fiscal Year 2023 Budget			Fiscal Year 2024 Budget				
	Budget as Adopted or Amended	Budget Amendment	Amended Budget	Budget as Adopted or Amended	Budget Amendment	Amended Budget		
Total Budgeted Revenue Adopted/Amended	48,138,559.00			51,666,677.00				
Adjustments in Proposed Ordinance								
ARPA Fund Revenue	\$ -	\$ 255,993.95	\$ 255,993.95				ARPA Fund Expenditure Per Resolution #R-2023-11	
Cash Carry Forward	\$ 7,214,818.00	\$ (2,860,691.70)	\$ 4,354,126.30	\$ 7,027,158.00	\$ 4,270,368.39	\$ 11,297,526.39	Amounts Carried Forward From FY23	
Amended Revenue Total		\$ (2,604,697.75)	\$ 4,610,120.25		\$ 4,270,368.39	\$ 11,297,526.39		
TOTAL ADOPTED/AMENDED BUDGETED REVENUE		\$ 48,138,559.00			\$ 51,666,677.00			
Net Budgeted Revenue Amendment		\$ (2,604,697.75)			\$ 4,270,368.39			
Amended Budget Revenue		\$ 45,533,861.25	\$ -		\$ 55,937,045.39	\$ -		
Total Budgeted Expenditures Adopted/Amended	48,138,559.00			51,666,677.00				
Capital Carry-Forward								
New Vehicles	046-2307	\$ 1,514,664.00	\$ (709,332.23)	\$ 805,331.77	\$ 925,000.00	\$ 709,332.23	\$ 1,634,332.23	Supply chain issues impacted availability and delivery
Equipment	046-2430	\$ 150,000.00	\$ (78,048.70)	\$ 71,951.30	\$ 150,000.00	\$ 78,048.70	\$ 228,048.70	Supply chain issues impacted availability and delivery
Capital Outlay	046-3752	\$ 566,606.00	\$ (566,606.00)	\$ -	\$ -	\$ 566,606.00	\$ 566,606.00	Requests for Proposals for Type 1 Pumper/Engine was postponed until FY24
Building Repairs	046-5095	\$ 200,000.00	\$ (87,249.45)	\$ 112,750.55	\$ 200,000.00	\$ 87,249.45	\$ 287,249.45	Expenditures were postponed until FY24
Equipment	048-2430	\$ 130,000.00	\$ (130,000.00)	\$ -	\$ -	\$ 130,000.00	\$ 260,000.00	Supply chain issues impacted availability and delivery
Capital Outlay	048-3752	\$ 550,812.00	\$ (543,369.31)	\$ 7,442.69	\$ 200,000.00	\$ 543,369.31	\$ 743,369.31	Expenditures were postponed until FY36
Building Repairs	048-5095	\$ 225,000.00	\$ (222,505.71)	\$ 2,494.29	\$ 50,000.00	\$ 222,505.71	\$ 272,505.71	Expenditures were postponed until FY36
Equipment	056-2430	\$ 150,000.00	\$ (99,466.44)	\$ 50,533.56	\$ 150,000.00	\$ 99,466.44	\$ 249,466.44	Expenditures were postponed due to inability to obtain new vehicles
New Vehicles	057-2307	\$ 568,700.00	\$ (170,895.87)	\$ 397,804.13	\$ -	\$ 170,895.87	\$ 170,895.87	Supply chain issues impacted availability and delivery
Equipment	058-2430	\$ 60,000.00	\$ (46,705.39)	\$ 13,294.61	\$ 210,600.00	\$ 46,705.39	\$ 257,305.39	Supply chain issues impacted availability and delivery
Grant Matching Funds	095-2615	\$ 380,000.00	\$ (368,139.07)	\$ 11,860.93	\$ 500,000.00	\$ 368,139.07	\$ 868,139.07	Project was delayed until additional funding could be obtained
Capital Outlay	095-3752	\$ 550,000.00	\$ (514,717.95)	\$ 35,282.05	\$ 550,000.00	\$ 514,717.95	\$ 1,064,717.95	Planned capital projects postponed until FY24
Capital Outlay	074-3752	\$ 800,000.00	\$ (570,901.22)	\$ 229,098.78	\$ -	\$ 570,901.22	\$ 570,901.22	Carryover of Farmers' Market Project
Budget Amendments								
Planning Expenses	060-5000	\$ 147,615.00	\$ (146,977.58)	\$ 637.42	\$ 146,977.58	\$ 146,977.58	\$ 293,955.16	Council approved study was approved near the end of FY23 and will begin in FY24
Computer Equipment	065-2460	\$ 1,500.00	\$ (1,500.00)	\$ -	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Telephone	066-2100	\$ 3,600.00	\$ (1,858.37)	\$ 1,741.63	\$ -	\$ -	\$ -	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Supplies and Forms	066-2240	\$ 1,000.00	\$ (1,000.00)	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Office Equipment	066-2440	\$ 2,000.00	\$ (1,833.24)	\$ 166.76	\$ 2,000.00	\$ 3,691.61	\$ 5,691.61	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Office Supplies	067-2200	\$ 4,000.00	\$ (2,569.44)	\$ 1,430.56	\$ 4,000.00	\$ 2,569.44	\$ 6,569.44	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Office Equipment	067-2440	\$ 1,500.00	\$ (1,500.00)	\$ -	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Computer Equipment	067-2460	\$ 2,000.00	\$ (1,159.76)	\$ 840.24	\$ 2,000.00	\$ 1,159.76	\$ 3,159.76	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Office Equipment	072-2440	\$ 5,000.00	\$ (4,032.66)	\$ 967.34	\$ 10,000.00	\$ 4,032.66	\$ 14,032.66	Unspent funds from prior FY23 carried over to allow for necessary expenditures in
Budget Amendments Previously Approved								
ARPA Expenditures	062-3754	\$ -	\$ 255,993.95	\$ 255,993.95				Council approved with resolution #R-2023-11
Dispatch Equipment	048-2450	\$ -	\$ 304,838.69	\$ 304,838.69				Council approved with ordinance #O-2023-04
Computer Equipment	049-2460	\$ 25,000.00	\$ -	\$ 329,838.00				Council approved with ordinance #O-2023-04
Capital Outlay	074-3752	\$ -	\$ 800,000.00	\$ 800,000.00				Council approved with ordinance #O-2023-
		\$ 6,038,997.00	\$ (2,604,697.75)	\$ 3,434,299.25	\$ 3,234,577.58	\$ 4,270,368.39	\$ 7,504,945.97	
TOTAL ADOPTED/AMENDED BUDGETED EXPENDITURES		\$ 48,138,559.00				\$ 51,666,677.00		
Net Budgeted Expenditures Amendment		\$ (2,604,697.75)				\$ 4,270,368.39		
Amended Budget Expenditures		\$ 45,533,861.25				\$ 55,937,045.39		

Section 2. Amendment to the Current FY 2023-2024 Budget

That revenue and appropriations for the Jasper County School District Debt Fund for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, for the school district of the County of Jasper, South Carolina be amended for said term to \$5,611,600 for the purposes stated herein, and Section 2 of the 2023-2024 Budget be amended to read:

SECTION 2. Appropriation for Jasper County School District Capital and General Operations Budget. There is hereby appropriated to the School Operations Budget the remaining non-appropriated funds collected through School District ad valorem taxation in Fiscal Year 2022-2023, which were in excess of School District funds appropriated by the FY 2022- 2023 budget ordinance. There is further hereby appropriated from revenues to be collected from the stated sources the following sums for the Jasper County School District Capital and Operational needs and for the purposes set forth for fiscal year 2023 - 2024:

**JASPER COUNTY SCHOOL DISTRICT
CAPITAL AND GENERAL OPERATIONS BUDGET
FISCAL YEAR 2023-2024**

REVENUES

School Property	
Operations Tax Levy	\$ 24,022,738
School Debt	<u>\$ 5,611,600</u>
School Grand Total	<u>\$ 29,634,338</u>

APPROPRIATIONS

School District	
Operations Tax Levy	\$ 24,022,738
School Debt	<u>\$ 5,611,600</u>
School Grand Total	<u>\$ 29,634,338</u>

Section 3. Provisions of ordinances previously adopted by County Council, which are not consistent with this Ordinance 0-2023-_____ are deemed superseded.

Section 4. If any section, clause, paragraph, sentence or phrase of this ordinance, or application thereof any person or circumstances must, for any reason be held to be invalid or unconstitutional. The invalid section, clause paragraph, sentence, phrase or application shall no way affect the remainder of this ordinance: and is hereby declared to be the intention of the County Council that the remainder of this ordinance would have passed notwithstanding the invalidity or unconstitutionality of any section, clause paragraph, sentence or phrase thereof.

Section 5. This ordinance must take effect upon approval by Council.

Jasper County Council

BY:

L. Martin Sauls IV, Chairman

Barbara B. Clark, Vice Chairman

Alvin Adkins, Councilman

John Kemp, Councilman

Coy Garbade Councilman

ATTEST:

**Wanda Simmons,
Clerk to Council**

First Reading: 8/21/2023
Second Reading:
Public Hearings:
Adopted:

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

AGENDA ITEM

19

ACTION ITEM

REQUEST FOR
REAPPOINTMENT



August 2, 2023

Ms. Wanda Simmons
Clerk to County Council
PO Box 1149
Ridgeland, SC 29936

Dear Ms. Simmons:

I am writing this letter to request that Mr. Charles Mitchell be re-appointed as the Jasper County representative on the Lowcountry Regional Transportation (LRTA) Board of Directors. His term expired in May 2023 and he is willing to serve an additional term. Thank you for your assistance in this matter.

Sincerely,

Mary Lou Franzoni
Executive Director
Palmetto Breeze
PO Box 2029
Bluffton, SC 29910
(843)757-5781
www.palmettobreezetransit.com



THE
Breeze



AGENDA ITEM

20

ACTION ITEM

REQUEST FOR APPOINTMENT

BOARD OF ZONING APPEALS



Jasper County Clerk to Council

358 Third Avenue
Ridgeland, South Carolina 29936
Phone (843) 717-3696

Wanda Simmons
Clerk to Council
wsimmons@jaspercountysc.gov

Jasper County Council Staff Report

Meeting Date:	August 21, 2023
Board Name:	Board of Zoning Appeals
New Members Needed	1
Submitted For:	Approval to appoint 1 new member
Term:	4 years term

Description: The Board of Zoning Appeals is in need of a new Member. Frances M. Chalmers has applied to be a member of the board and is recommended by Councilman Kemp.

Name:	Appt Date:	Term End Date:
Frances M. Chalmers	08.21.2023	08.27.2023

Staff recommends approval of this candidate to the Board of Zoning Appeals.

AGENDA ITEM

21

ACTION ITEM

REQUEST FOR
APPOINTMENT

AIRPORT COMMISSION

COMMITTEE / BOARD / COMMISSION
APPOINTMENT APPLICATION



CITIZEN BIOGRAPHICAL SKETCH:

Request for Appointment () or Re-Appointment ()
Please print or type

Committee(s): AIRPORT COMMISSION

Recommended By: MARTY SAULS IV

Name: AVERY EUGENE CLELAND
FIRST MIDDLE LAST

Home address: 206 GOOD HOPE ROAD, BLUFFTON, SC 29909

Mailing address (if different): _____

Telephone: 843-836-1844 843-987-0500 843-321-2134
HOME BUSINESS CELL

Email Address: ACLELAND@CLELANDSITEPREP.COM

Employer: CLELAND SITE PREP, INC

Employer Address: 426 RED OAKS LANE, RIDGELAND, SC 29936

Occupation: CONTRACTOR Education: RIDGELAND HIGH SCHOOL

Boards, Committee's, Civic Clubs, Etc. JASPER COUNTY COUNCIL, UNITED WAY
(use back of sheet if necessary)

Experience: PILOT FOR OVER 30 YEARS, 1 JACOB & 2 AIRPLANES ON AIRPORT
(use back of sheet if necessary)

YES < Other Activities: CHURCH, FAMILY, FLYING, HUNTING, FISHING, GOLF
(use back of sheet if necessary)

County Council District: _____

Are you a registered voter: YES In what precinct do you vote: BEAUFORT COUNTY

Do you have an interest in any business that has, is or will do business with the County of Jasper or the Entity for which you have been nominated? YES If so, please list on the back of this sheet.

I have received a copy of the Boards and Committee Ordinance # 07-40, the Freedom of Information Act and a copy of the responsibilities and duties related to the Board or Commission that I am volunteering to serve on. I agree to uphold and abide by the responsibilities to the best of my abilities. I understand that the law and constitution of South Carolina provide for appointments by County Council because it is elected by the People. Council is thus answerable to the people and Boards, Committees and Commissions are answerable to the Council. The American system of checks and balances thus encourages and enables administration while constraining appointees for cross purposes with council. I further agree to be bound by the rules and regulations of Jasper County Council.

Applicant's Signature: *Eugene Cleland*

Return via mail or email to:
Wanda Simmons, Clerk to Council
Jasper County Council
PO Box 1149, Ridgeland, SC. 29936
Email: wsimmons@jaspercountysc.gov

Experience: HAVE built additions and
renovations on all airports in BEAUFORT
+ JASPER Counties including MCAS

COMMITTEE / BOARD / COMMISSION
APPOINTMENT APPLICATION



CITIZEN BIOGRAPHICAL SKETCH:

Request for Appointment (X) or Re-Appointment ()

Please print or type

Committee(s): JASPER COUNTY AERONAUTICS COMMISSION

Recommended By: Councilman Coy Garbade

Name: RICHARD LEE DEAN
FIRST MIDDLE LAST

Home address: 140 ELEANOR AVE, RIDGELAND, SC 29936

Mailing address (if different): A.O. Box 81, RIDGELAND, SC 29936

Telephone: 704-572-2902
HOME BUSINESS CELL

Email Address: RICHARDDEAN102@GMAIL.COM

Employer: RETIRED - PARAMEDIC/EMS PROGRAM ADMINISTRATOR

Employer Address: _____

Occupation: RETIRED Education: High School + Community College

Boards, Committee's, Civic Clubs, Etc. PREVIOUSLY SERVED AS JASPER COUNTY AERONAUTICS
(use back of sheet if necessary) COMMISSION CHAIR AND AIRPORT MANAGER -

Experience: REGIONAL TRAUMA SYSTEM ADVISORY COUNCIL AND QUALITY IMPROVEMENT
(use back of sheet if necessary) COMMITTEE

Other Activities: FORMER PROGRAM INSTRUCTOR FOR COMMUNITY COLLEGE PROGRAM
(use back of sheet if necessary)

County Council District: 3 OR 4 - CAN'T SEE THE MAP CLEARLY 1912

Are you a registered voter: YES In what precinct do you vote: RIDGELAND 2

Do you have an interest in any business that has, is or will do business with the County of Jasper or the Entity for which you have been nominated? *If so, please list on the back of this sheet.*

I have received a copy of the Boards and Committee Ordinance # 07-40, the Freedom of Information Act and a copy of the responsibilities and duties related to the Board or Commission that I am volunteering to serve on. I agree to uphold and abide by the responsibilities to the best of my abilities. I understand that the law and constitution of South Carolina provide for appointments by County Council because it is elected by the People. Council is thus answerable to the people and Boards, Committees and Commissions are answerable to the Council. The American system of checks and balances thus encourages and enables administration while constraining appointees for cross purposes with council. I further agree to be bound by the rules and regulations of Jasper County Council.

Applicant's Signature: [Signature]

Return via mail or email to:
Wanda Simmons, Clerk to Council
Jasper County Council
PO Box 1149, Ridgeland, SC. 29936
Email: wsimmons@jaspercountysc.gov

Airport Commission from Vice Chairwoman Clark:

Vice Chairwoman Clark's submission for appointment Ms. Tamara Herring for the Airport Commission contacted me via email and said that, "Unfortunately, she must decline this opportunity. She also thanked Vice Chairwoman Clark that she appreciated her confidence in her ability to be an asset to the committee and regretfully decline for personal reasons".

Due to this fact Vice Chairwoman Clark is seeking another submission for appointment.

COMMITTEE / BOARD / COMMISSION
APPOINTMENT APPLICATION



CITIZEN BIOGRAPHICAL SKETCH:

Request for Appointment () or Re-Appointment ()

Please print or type

Committee(s): Jasper County Aeronautics Commission

Recommended By: John Kemp

Name: George Baylor O'Cain
FIRST MIDDLE LAST

Home address: 584 Boyd Creek Dr Ridgeland SC 29936

Mailing address (if different) _____

Telephone: _____ 843-415-5356
HOME BUSINESS CELL

Email Address: baylorocain@hargray.com

Employer: Retired

Employer Address: Hargray communications

Occupation: Network tech Education: some collage

Boards, Committee's, Civic Clubs, Etc. Free masons .QB

(use back of sheet if necessary) Master of Hardeeville lodge 348

Experience: _____
(use back of sheet if necessary)

Other Activities: _____
(use back of sheet if necessary)

County Council District: Grahamville 2

Are you a registered voter: yes In what precinct do you vote: Grahamville

Do you have an interest in any business that has, is or will do business with the County of Jasper or the Entity for which you have been nominated? no *If so, please list on the back of this sheet.*

I have received a copy of the Boards and Committee Ordinance # 07-40, the Freedom of Information Act and a copy of the responsibilities and duties related to the Board or Commission that I am volunteering to serve on. I agree to uphold and abide by the responsibilities to the best of my abilities. I understand that the law and constitution of South Carolina provide for appointments by County Council because it is elected by the People. Council is thus answerable to the people and Boards, Committees and Commissions are answerable to the Council. The American system of checks and balances thus encourages and enables administration while constraining appointees for cross purposes with council. I further agree to be bound by the rules and regulations of Jasper County Council.

Applicant's Signature: George Baylor O'cain

Return via mail or email to:

Wanda Simmons, Clerk to Council

Jasper County Council

PO Box 1149, Ridgeland, SC. 29936

Email: wsimmons@jaspercountysc.gov

Wanda Simmons

From: Tamara Herring <tamaraherring@gmail.com>
Sent: Tuesday, August 15, 2023 12:01 PM
To: Wanda Simmons
Subject: Re: Airport Commission Application

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you for your email, Ms. Simmons. Unfortunately, I must decline this opportunity. Please let Vice Chair Clark know I appreciate her confidence in my ability to be an asset to the committee and I regretfully decline for personal reasons.

Warm regards,

On Tue, Aug 15, 2023 at 11:30 AM Wanda Simmons <wsimmons@jaspercountysc.gov> wrote:

Good morning Ms. Herring,

Vice Chairwoman Clark has submitted your name as her appointment to the Airport Commission. Could you please complete the attached form and return to me by 12pm tomorrow (Wednesday) for our agenda packet to Council. If you have any questions please feel free to email me at wsimmons@jaspercountysc.gov.

Thank you,

Wanda

Wanda Hendrix Simmons

Clerk to County Council

[Jasper County](#)

[358 Third Ave.](#)

[Ridgeland, SC. 29936](#)

Phone: 843-717-3696

Fax: 843-726-3270

wsimmons@jaspercountysc.gov

Have a blessed day !

Jasper County is an Equal Opportunity Employer.

Special accommodations available upon request to individuals with disabilities.

This email message contains confidential and/or privileged information that is intended solely for the addressee. If you have received this message in error, please notify us by return email, and delete it from your system. Reading, copying or disseminating this message is strictly prohibited.

--

Warm regards,

Tamara Herring

AIRPORT COMMISSION – APPOINTMENT APPLICATION



CITIZEN BIOGRAPHICAL SKETCH: **Request for Appointment (X) or Re-Appointment ()**

Please print or type this form

Date: 08.17.2023

Recommended By: Vice Chairwoman Clark

Applicant Name: Steven Alston
FIRST MIDDLE LAST

Home address: 174 Bush Clark Drive, Hardeeville, SC

Mailing address (if different) _____

Telephone: 843-476-9109 843-476-9109
HOME BUSINESS CELL

Email Address: postman71@yahoo.com

Employer: United States Post Office

Employer Address: Bluffton Post Office, Bluffton, SC

Occupation: Postal Supervisor Education: HS and College

Boards, Committee's, Civic Clubs, Etc. Head Trustee at Church; Mason's
(use back of sheet if necessary)

Board or Commission Experience: Church Boards, Masonic Boards, Command Sgt Major at the US Army
(use back of sheet if necessary)

Other Activities: Works with little league football; Church
(use back of sheet if necessary)

County Council District: Hardeeville

Are you a registered voter: Yes In what precinct do you vote: Hardeeville

Do you have an interest in any business that has, is or will do business with the County of Jasper or the Entity for which you have been nominated?no *If so, please list on the back of this sheet.*

Circle One answer for questions 1,2, and 3 below:

- 1. Are you a resident of Jasper County (Yes or No) Answer: YES**
- 2. Do you own property in Jasper County (Yes or No) Answer: YES**
- 3. Do you own a business in Jasper County (Yes or No) Answer: NO**

If you answered yes, please provide the Business Name: NA

4. Please explain on the below lines your Business and Tourism Experiences and Acumen:

As a Postal Supervisor, experience on Church Boards, Masonic Boards, and as Command Sgt Major at the US Army he has added to our tourism capital by bringing more people into the area through his career, military career, church boards and other boards experience.

Applicant's Signature: Steven Alston

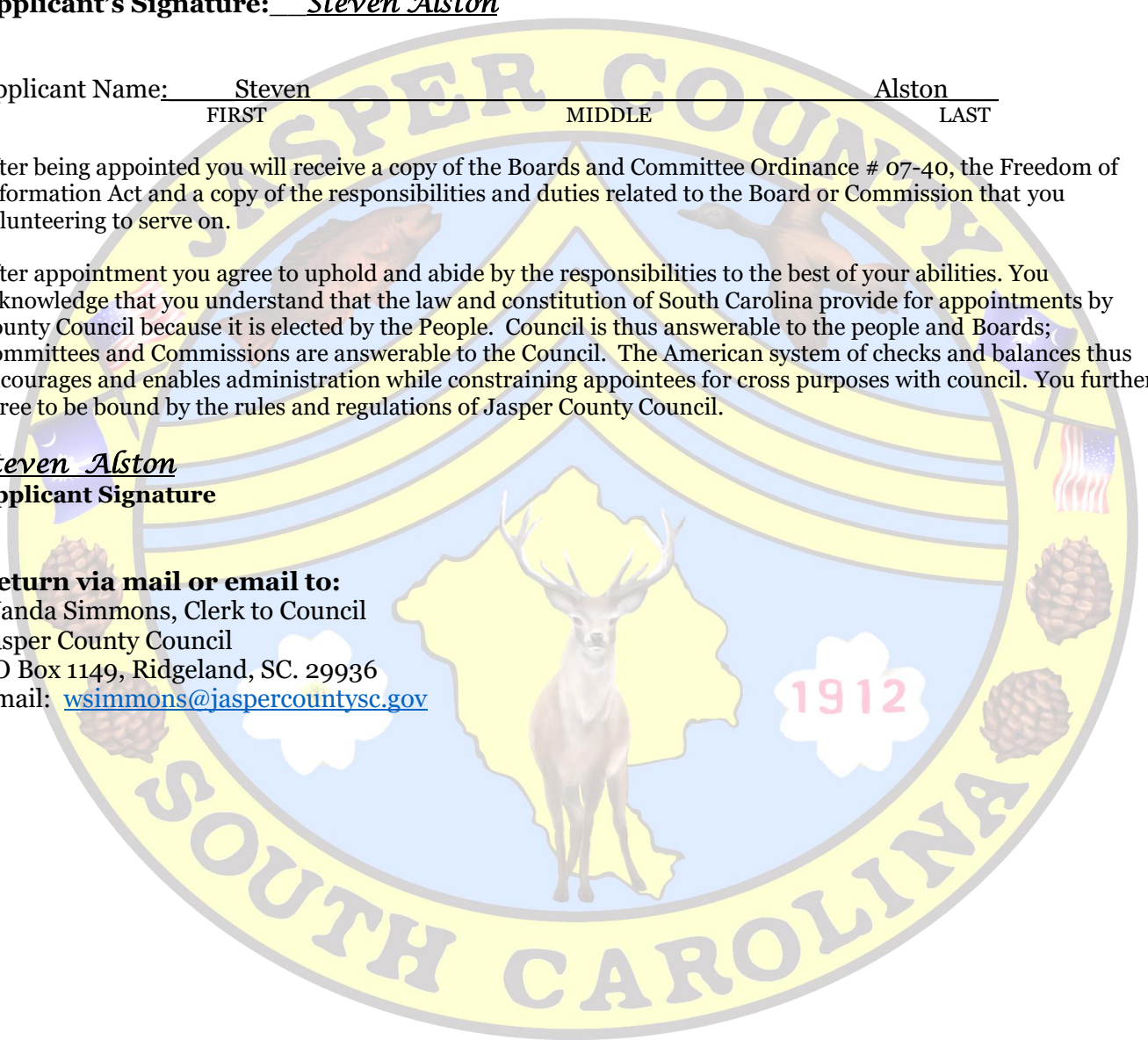
Applicant Name: Steven Alston
FIRST MIDDLE LAST

After being appointed you will receive a copy of the Boards and Committee Ordinance # 07-40, the Freedom of Information Act and a copy of the responsibilities and duties related to the Board or Commission that you volunteering to serve on.

After appointment you agree to uphold and abide by the responsibilities to the best of your abilities. You acknowledge that you understand that the law and constitution of South Carolina provide for appointments by County Council because it is elected by the People. Council is thus answerable to the people and Boards; Committees and Commissions are answerable to the Council. The American system of checks and balances thus encourages and enables administration while constraining appointees for cross purposes with council. You further agree to be bound by the rules and regulations of Jasper County Council.

Steven Alston
Applicant Signature

Return via mail or email to:
Wanda Simmons, Clerk to Council
Jasper County Council
PO Box 1149, Ridgeland, SC. 29936
Email: wsimmons@jaspercountysc.gov



AGENDA ITEM

22

ACTION ITEM

REQUEST FOR
APPOINTMENT

LEVY FIRE PROTECTION
DISTRICT BOARD

LEVY FIRE PROTECTION BOARD
APPOINTMENT APPLICATION



CITIZEN BIOGRAPHICAL SKETCH: Request for Appointment () or Re-Appointment ()
Please print or type this form

Date: 8-14-23

Recommended By: MARY SAUB

Name: PATRICK DONTZLER
FIRST MIDDLE LAST

Home address: 281 Delta Estates Rd Hancheville, SC 29927

Mailing address (if different) L

Telephone: 843-816-6698
HOME BUSINESS CELL

Email Address: Lowcountrylandservices@gmail.com

Employer: Lowcountry land Services

Employer Address: _____

Occupation: Business Owner/constructor Education: _____

Boards, Committee's, Civic Clubs, Etc.
(use back of sheet if necessary)

Board _____

Experience: _____
(use back of sheet if necessary)

Other Activities: _____
(use back of sheet if necessary)

County Council District: Levy

Are you a registered voter: yes In what precinct do you vote: Levy

Do you have an interest in any business that has, is or will do business with the County of Jasper or the Entity for which you have been nominated? If so, please list on the back of this sheet.

Circle One answer for questions 1 and 2 below:

- 1. Are you a resident in the Levy Fire Protection District in Jasper County (Yes or No) Yes
- 2. Are you a former board member of the Levy Volunteer Fire Department (Yes or No) No

Applicant's Initials: PD

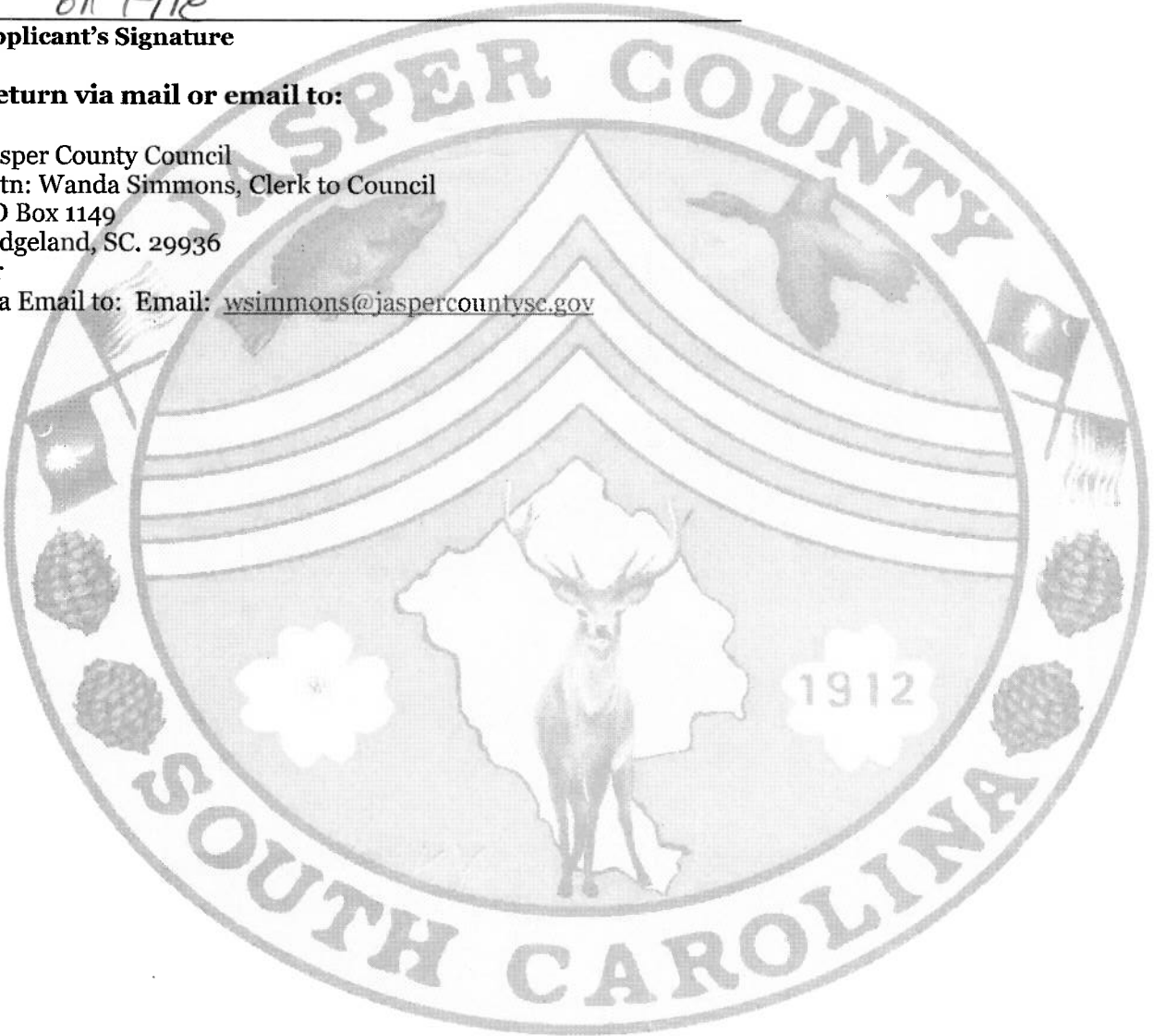
After being appointed you will receive a copy of the Boards and Committee Ordinance # 07-40, the Freedom of Information Act and a copy of the responsibilities and duties related to the Board or Commission that you volunteering to serve on. After appointment you agree to uphold and abide by the responsibilities to the best of your abilities. You acknowledge that you understand that the law and constitution of South Carolina provide for appointments by County Council because it is elected by the People. Council is thus answerable to the people and Boards; Committees and Commissions are answerable to the Council. The American system of checks and balances thus encourages and enables administration while constraining appointees for cross purposes with council. You further agree to be bound by the rules and regulations of Jasper County Council.

on File

Applicant's Signature

Return via mail or email to:

Jasper County Council
Attn: Wanda Simmons, Clerk to Council
PO Box 1149
Ridgeland, SC. 29936
Or
Via Email to: Email: wsimmons@jaspercountysc.gov



COMMITTEE / BOARD / COMMISSION
APPOINTMENT APPLICATION



CITIZEN BIOGRAPHICAL SKETCH:

Request for Appointment () or Re-Appointment ()

Please print or type

Committee(s): Levy Fire District Board

Recommended By: John Kemp

Name: Michael Shannon Saxon
FIRST MIDDLE LAST

Home address: 5146 Bellinger Hill Rd. Hardeeville SC. 29927

Mailing address (if different) Same

Telephone: 843-521-7941
HOME BUSINESS CELL

Email Address: levyfire1@gmail.com

Employer: Ridgeland Fire Department

Employer Address: 49 Railroad Ave Ridgeland SC. 29936

Occupation: Firefighter Education: 12+

Boards, Committee's, Civic Clubs, Etc. _____

Experience: 32 yrs fire service
(use back of sheet if necessary)

Other Activities: _____
(use back of sheet if necessary)

County Council District: Levy-Linthouse 1912

Are you a registered voter: Yes In what precinct do you vote: Levy

Do you have an interest in any business that has, is or will do business with the County of Jasper or the Entity for which you have been nominated? NO If so, please list on the back of this sheet.

I have received a copy of the Boards and Committee Ordinance # 07-40, the Freedom of Information Act and a copy of the responsibilities and duties related to the Board or Commission that I am volunteering to serve on. I agree to uphold and abide by the responsibilities to the best of my abilities. I understand that the law and constitution of South Carolina provide for appointments by County Council because it is elected by the People. Council is thus answerable to the people and Boards, Committees and Commissions are answerable to the Council. The American system of checks and balances thus encourages and enables administration while constraining appointees for cross purposes with council. I further agree to be bound by the rules and regulations of Jasper County Council.

Applicant's Signature: [Signature]

Return via mail or email to:
Wanda Simmons, Clerk to Council
Jasper County Council
PO Box 1149, Ridgeland, SC. 29936
Email: wsimmons@jaspercountysc.gov

AGENDA ITEM

23

ADMINISTRATOR'S
REPORT



OFFICE OF THE JASPER COUNTY ADMINISTRATOR

Jasper County Clementa C. Pinckney Government Building
358 Third Avenue – Courthouse Square – Post Office Box 1149
Ridgeland, South Carolina 29936 - 843-717-3690 – Fax: 843-726-7800

Andrew P. Fulghum
County Administrator

afulghum@jaspercountysc.gov

Tisha L. Williams
Executive Assistant

tlwilliams@jaspercountysc.gov

Administrator's Report August 21, 2023

1. Donation for Levy Community Center:
Received \$15,000 donation from Clarius Partners, LLC to be used for improvements to the Levy Community Center. The donation was made in accordance with the City of Hardeeville's development agreement with Clarius Partners, LLC. Details follow this report.
2. Government Finance Officer Association's Certificate of Achievement:
The County has received the certificate of achievement for Excellence in Financial reporting for the County's FY Ended 2022 comprehensive financial report. Thanks to Ms. Burgess and her work in getting us recognized again this year.
3. Rt. 278 Widening Project in Ridgeland:
The grant offer and award from the U.S. Department of Commerce has been terminated for convenience. Staff will be working with LCOG staff to enhance the scope of the project and repackage a subsequent grant application for consideration.
4. Exit 3:
I have received and approved five (5) SCDOT draw requests from escrow. Details follow this report. The Council previously approved \$3.4 million to be held in escrow for the project. To date, \$561,427.14 has been spent and the remaining balance is \$2,838,572.86.
5. Comprehensive Plan Update and Moratorium:
Ms. Wagner will provide a status update and review the project timeline.

The County Administrator's Progress Report and any miscellaneous correspondence, agendas, and minutes follow this report.



CLARIUS
PARTNERS

August 3, 2023

Andrew P. Fulghum, ICMA-CM
County Administrator
Jasper County
P.O. Box 1149
358 Third Avenue
Ridgeland, South Carolina 29936
E-mail: afulghum@jaspercountysc.gov

Re: Levy Community Center Contribution from Clarius Park Hardeeville, Hardeeville, South Carolina

Dear Mr. Fulghum:

Pursuant to the commitments made on behalf of CP Hardeeville, LLC, the current owner of the ±220-acre property located just east of the intersection of SC-170 & US-17 in Hardeeville, South Carolina, as referenced in the attached excerpt of meeting minutes of the City of Hardeeville City Council Meeting on November 4, 2021, please find the enclosed check payable to Jasper County to be utilized for the benefit of the Levy Community Center.

Should you have any questions, please let me know.

Sincerely,

Craig Dannegger
Principal, Clarius Partners, LLC, on behalf of CP Hardeeville, LLC

cc: *Via Email*
Michael Czymbor, City Manager, City of Hardeeville, South Carolina
E-mail: mczymbor@hardeevillesc.gov

Quality. Clarity. Integrity.

200 W. Madison Street, Suite 1625 | Chicago, Illinois 60606
(312) 386-7150 | (312) 281-9992 fax

CITY OF HARDEEVILLE
REGULAR CITY COUNCIL MEETING
AND PUBLIC HEARINGS
MINUTES
NOVEMBER 4, 2021
5:00 PM

Present: Mayor Harry Williams, Mayor Pro Tem Carolyn Kassel, Council Members John Carroll, Bo White, and David Spisso, City Manager Michael Czymbor, City Attorney Prina Maines, Deputy City Manager Matt Davis, City Clerk Lori Pomarico, Planning Director Brana Snowden, Planning Manager Katie Woodruff, Police Chief Sam Woodward, Fire Chief Steve Camp, Deputy Fire Chief Brian Mayo, Public Works Director Rhett Lott, Deputy City Clerk Emily Meador, Web Content Media Specialist Mel Golden, Media Technician Shantez Herrington

I. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member White gave the invocation.

II. CALL TO ORDER

Mayor Williams called the meeting to order at 5:00 p.m.

III. APPROVAL OF AGENDA

A motion was made by Council Member Carroll to approve the agenda. The motion received a proper second by Council Member White and carried unanimously.

IV. [RESERVED]

V. PUBLIC COMMENTS (3 MINUTE TIME LIMIT)

Mayor Williams read the rules for public comment.

Ann Caywood, Lowcountry Legal Volunteers, thanked the City and Council for allowing them to create a physical space inside the Chamber building so they can provide free legal services to the citizens of Hardeeville and the greater Hardeeville area. They plan on doing public outreaches, and educational and legal clinics. Their hours are Tuesday and Thursday from 12pm-4pm. Ms. Caywood provided their address and phone number.

Tom Casey, Latitude Lakes, gave a report on the meeting with City staff. He stated they were barely able to get through the first item on the agenda, tree preservation, which is a very controversial topic. There would be zero checks on the tree ordinance or to show if the developer is in compliance which is against the intent of the agreement.

Favor; Council Member White, In Favor; Mayor Pro Tem Kassel, In Favor; Mayor Williams, In Favor.

**C. SECOND READING OF AN ORDINANCE ANNEXING INTO THE CITY OF HARDEEVILLE APPROXIMATELY +/- 6.15 ACRES OF REAL ESTATE LOCATED IN JASPER COUNTY NOT ALREADY WITHIN THE HARDEEVILLE CITY LIMITS, AS WELL AS ALL ADJACENT PUBLIC RIGHTS OF WAY, RAILROAD RIGHTS OF WAY, WATERS, LOWLANDS AND WETLANDS (2021-10-21C)
PUBLIC HEARING**

Mr. Danneggar stated they received a significant amount of feedback at the Town Hall Meeting they held with the concerned residents. There are five primary main impacts with the first one being jobs; it is forecasted to bring in between two hundred seventy and twenty-seven hundred (270-2,700) potential new jobs to the area. Infrastructure is also another impact: road improvements, widening; water and sewer main extensions to the tune of one (1) mile of water and one half (1/2) mile of sewer. This development will also be a catalyst for growth within the community. Mr. Danneggar stated at the Town Hall meeting many residents expressed a feeling of neglect related to traffic and flooding; with growth comes increased positive attention to macro-level concerns. The last impact is income – tax income to the City and to the County provide a resource to address areas of concern that otherwise were not able to be addressed in the past. Mr. Danneggar addressed three (3) issues with the first one being industrial zoning; this land is already zoned and designated for industrial use. The second issue is commercial traffic; by annexing the six (6) acre access park will allow less traffic on Levy Road. A traffic study has been done and submitted to the Department of Transportation (DOT) which they approved. Mr. Danneggar reiterated that the MZDO has protections in place, they have to abide by all Ordinances and the PDD. A traffic impact analysis has to be submitted before they can pull any permits.

At the Town Hall meeting residents also expressed macro-level concerns regarding traffic, flooding, and traffic patterns. The traffic impact analysis that was completed agrees with the expectations that the traffic that will be utilizing this development will primarily be using US Hwy 17. Community members asked for a state-of-the-art community center, walking trail and fishing pond, a good drainage design, and lowered speed limits on Levy Rd. Mr. Danneggar stated they have listened, and Clarius Partners will be contributing fifteen thousand dollars (\$15,000) to the City which will allow the City to charge resident rates for non-residents at the Recreation Center. Mr. Danneggar stated that in speaking with the City, the City has advised that they are willing to assist and help facilitate in an effort to help create walking trails and a fishing pond for the Levy community. In relation to drainage, Clarius Partners is willing to commit for responsible design for stormwater management and positive drainage from the site. However, to address macro-level concerns not directly related to this project there are areas that are in neglect and need maintenance; DOT was contacted and will be taking care of the needed maintenance. Mr. Danneggar stated they are willing to commit to be an advocate for the community as these issues may arise in the future. There is a process in place for lowering the speed limit on Levy Road; it is not a City road however,

CP Hardeeville, LLC
c/o Clarius Partners, LLC
200 W. Madison St., Suite 1625
Chicago, IL 60606

CIBC Bank US
2-848/710

1002

6/19/2023

PAY TO THE ORDER OF Jasper County

\$ **15,000.00

Fifteen Thousand and 00/100***** DOLLARS

Jasper County



MEMO
Levy Community Center Contribution

AUTHORIZED SIGNATURE

⑈001002⑈ ⑆071006486⑆ 2575779⑈

CP Hardeeville, LLC c/o Clarius Partners, LLC

1002

Jasper County

6/19/2023

Levy Community Center Contribution

15,000.00

CIBC Bank

Levy Community Center Contribution

15,000.00



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

8/8/2023

Andrew Fulghum
County Administrator
Jasper County, South Carolina

Dear Andrew:

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended June 30, 2022 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and give appropriate publicity to this notable achievement. A sample news release is included to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

A handwritten signature in black ink that reads "Michele Mark Levine". The signature is written in a cursive, flowing style.

Michele Mark Levine
Director, Technical Services



OFFICE OF THE JASPER COUNTY ADMINISTRATOR

Jasper County Clementa C. Pinckney Government Building
358 Third Avenue – Courthouse Square – Post Office Box 1149
Ridgeland, South Carolina 29936 - 843-717-3690 – Fax: 843-726-7800

Andrew P. Fulghum
County Administrator

afulghum@jaspercountysc.gov

Tisha L. Williams
Executive Assistant

twilliams@jaspercountysc.gov

July 18, 2023

VIA Electronic Mail Delivery

Mr. Asa R. Williams, Supervisory Project Manager
U.S. Department of Commerce
Economic Development Administration, Atlanta Regional Office
401 West Peachtree Street, N.W., Suite 1820
Atlanta, Georgia 30308-3510

Re: EDA Award Number: 04-01-07420 / Jasper County, South Carolina
Subject: Termination of Convenience

Dear Mr. Williams:

Regarding the above project that was awarded to Jasper County in March 2020, we have concluded that we cannot complete the project as we had planned. Originally, we were to widen a portion of the US 278 corridor which serves as an important evacuation route for our area and to realign an intersection on the corridor that is dangerous. We have had several issues with the execution of the project that has slowed our implementation and work schedule to the point that we do not believe we can correct the path.

There were multiple staff shortages and changes with our consulting engineer that slowed our work with SCDOT to get design approved and permitted. Because the roadway is SC DOT owned; we have been required to acquire more Right of Way than was originally planned, which has also slowed our progress considerably. Originally, we planned to acquire two easements; this has expanded to fourteen easements based on the requirements of SCDOT. We hired an Acquisition Consultant to help us with the easement effort but as it stands the earliest completion of that process would be in December 2023/January 2024. Our understanding of the timeline requirements for EDA even if an extension could be granted there is no foreseeable path forward for this project to be completed within 5 years of the original award. Because of this we are asking

that EDA terminate this project for our convenience.

We still intend to move forward with the needed design work and acquisition and are hopeful in the future that we can work on this project and others through EDA's programs. If you need additional information, please contact me or our Project/Grant Administrator, Michelle Knight. Thank you for your continued support in our economic development efforts in Jasper County.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized initial 'A' followed by a long, horizontal flourish.

Andrew P. Fulghum, ICMA-CM

Cc: Ms. Michelle Knight, Lowcountry Council of Governments



OFFICE OF THE JASPER COUNTY ADMINISTRATOR

*Jasper County Clementa C. Pinckney Government Building
358 Third Avenue – Courthouse Square – Post Office Box 1149
Ridgeland, South Carolina 29936 - 843-717-3690 – Fax: 843-726-7800*

Andrew P. Fulghum
County Administrator

Tisha L. Williams
Executive Assistant

afulghum@jaspercountysc.gov
twilliams@jaspercountysc.gov

Progress Report July 18, 2023 – August 21, 2023

1. Comprehensive Plan Update and Moratorium:
Attended staff kick-off meeting with consultant on July 24. Reviewed consultant's proposed timeline on August 14. Update to be provided to County Council at the County Council meeting on August 21.
2. Levy Fire Protection District:
Conducted site visit of Bellinger Hill station on July 20. Various discussions re: board appointments. Reviewed applications prepared by Ms. Simmons.
3. Capital Projects:
Attended meetings on July 20 and August 15 with MB Kahn representatives and County staff to review and discuss active and future projects.
4. Exit 3:
Reviewed and approved five (5) draw requests from SCDOT. Detail provided in Administrator's Report.
5. Various Development Projects:
Attended meetings with County staff, SCA staff, and outside counsel on July 19, July 26, August 9, and scheduled to attend another on August 16 to discuss active economic development projects. Met with the Executive Director of the Beaufort County Economic Development Corporation on July 24.
6. Ridgeland-Claude Dean Airport:
Participated in a meeting with County Attorney and Airport Manager on August 9 to review various leases, renewals, and new leases. Scheduled to attend meeting with County staff and two private sector business users of the airport on August 17.

7. Code Enforcement Officer and Litter Control Officer Designations:
Attended meeting with County staff on August 9 to discuss these County Council authorized appointments. Resolution to appoint to be before the County Council for action at the August 21 County Council meeting.
8. Billboards:
Organized and attended a meeting on July 28 with County staff and representatives from a billboard management company to review County's signage ordinance and discuss the status of billboards and the cap and replace program in Jasper County.
9. South Carolina Association of Counties (SCAC) Annual Conference:
Attended annual conference at Wild Dunes July 31- August 2.
10. SCAC Legislative Request:
Completed and submitted legislative request for consideration by the appropriate legislative committee.
11. Jasper Animal Rescue Mission (JARM) Lease:
Organized and attend meeting with a concerned individual and County staff on August 7 to discuss JARM operations Organized and attend meeting with several JARM Board members, JARM Executive Director, and County staff on August 10 to discuss current condition of the property, needs of JARM, animal control ordinances, JARM policies and procedures, and suggested changes to the lease agreement. Lease agreement to be discussed with County Council in executive session on August 21.
12. Mediation:
Attended mediation sessions on July 26 and July 27.
13. Other Meetings/Events Attended or Scheduled to Attend:
Uncoupling ceremony at Marsh Cove Fire Station on July 19, special called County Council meeting on July 20, and "Cost of Sprawl" talk by Grant McClue at the Blue Heron Nature Center on August 16.



August 9, 2023

Christy A. Hall, P.E.
Secretary of Transportation
South Carolina Department of Transportation
955 Park Street
Columbia, SC 29201

RE: Project Assistance Request

Dear Secretary Hall:

As we look ahead to future road improvements within our jurisdictions, we have identified two major road improvements that are both of regional and statewide significance. Those two improvements include the widening of US 278 for 8 miles from I-95 to SC 170 and the widening of SC 170, Argent Blvd (S-442), and US 278, known locally as the Triangle Project. Although these roads and two projects do not fit squarely into SCDOT's four priorities of the 10-yr plan (Interstates, Bridges, Safety, and Resurfacing), these projects align with SCDOT's vision to rebuild the state transportation system in order to provide adequate, safe and efficient movements of people and goods. The significance of these projects is reinforced as the roads are on the hurricane evacuation route, the freight corridor plan (US 278 only), and share significant safety concerns on each corridor. Additionally, these roads have high traffic volumes close to the volumes on I-95, and the improvements would directly tie-in to the I-95 widening and the Exit 8 planned improvements. Lastly, both projects are included in the Long Range Transportation Plan (LRTP) as high priorities. We are working with the MPO to move these projects into the TIP and later the STIP as funding is identified.

The US 278 widening is anticipated to be within the \$150M range, and the Triangle project will be within \$200M depending upon interchange improvements at US 278/SC 170. Currently, both projects are unfunded, but we are actively looking to pursue funding from various opportunities that may include federal grant opportunities (such as RAISE grant), local transportation sales tax referendums planned for in November '24 in both Beaufort and Jasper Counties, Regional Mobility Program funding, and local development impact fees. Although these are both significantly valued projects, should both counties prove successful with new transportation sales tax programs, these projects would make up only a portion of the expected revenues to be collected. As SCDOT is aware, major projects like these take a long time to develop and implement, so in an effort to set these projects in motion, we are using local funding and following the LPA process to initiate preliminary engineering through the NEPA process on both projects. ***Given SCDOT's experience and capabilities in delivering major projects of this size and scale, we respectfully ask for SCDOT to participate in these SCDOT system improvement projects by managing the remaining design, right-of-way acquisition, and construction administration phases of the project.*** This is a similar role that SCDOT is providing in the US 278 Corridor Project and has proven highly beneficial to the project.

We appreciate your consideration of this request and we share in your vision to bring a world-class transportation system to the people of Beaufort County, Jasper County, City of Hardeeville, and the state of South Carolina.

Sincerely,



John Robinson
Interim County Administrator
Beaufort County



Andrew P. Fulghum, ICMA-CM
County Administrator
Jasper County



Michael Czymbor
City Manager
City of Hardeeville

cc: Andy Leaphart, Deputy Secretary for Engineering, SCDOT
Jennifer Necker, P.E., CPM, Senior RPG Engineer, SCDOT
Craig Winn, P.E., Project Manager, SCDOT
Jared Fralix, P.E., Asst. County Administrator of Infrastructure, Beaufort County
Eric Claussen, P.E., Director of Engineering, Beaufort County

AGENDA ITEM

26

CONSENT AGENDA

APPROVAL OF MINUTES

MAY 1, 2023



Watch Live via YouTube at:

https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA

Pursuant to Ordinance #08-17, Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's Regular Meeting start time) on the **Public Comments 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. Written Public Comments may also be submitted by 1PM on the date of the Council Meeting by emailing your comment to: comments@jaspercountysc.gov.

To participate in a **Public Hearing for a specific agenda item**, you may either email written public comments to comments@jaspercountysc.gov by **1:00PM on Monday, May 1, 2023**; or you can speak in person at the Council Meeting by signing in on the **Public Hearing Sign In Sheet** located outside the Council Chambers Doors prior to the start of the 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
Monday, May 15, 2023
Minutes

Budget Workshop:

AHJ Regional Library – Carolyn Fortson, Director

Director Carolyn Fortson of the AHJ Regional Library was present to discuss their budget request with Council. She noted that the appropriations are necessary to staff both libraries (Hardeeville Community Library and the Platt Memorial Library). She also mentioned that there had been no increase in County Appropriations since 2021. She mentioned that in 2024 they were asking for an increase to employ 2 new hires at each library. Ms. Glenice Watts also discussed the Platt Memorial Library Renovation Project and a satellite location during the renovations.

Technical College of the Lowcountry – Dr. Richard Gough, President

President Richard Gough of the Technical College of the Lowcountry was present to discuss their budget request with Council. He also discussed the college, and how enrollment was up this year. He also talked about the 4 campuses and the virtual campus that students had opportunity for. He also mentioned that only 25% of their funds come from the state.

Coastal Empire Community MHC – Judith Birchenough, Asst. Director of Administration and Christy Jenks, Clinical Director of Jasper County

Judith Birchenough, Assistant Director of Administration for the Coastal Empire Community MHC introduced Christy Jenks, Clinical Director of Jasper County to discuss their budget request with Council.

She also discussed that they are there to support people with mental illness. She provided and reviewed a list of the services they provide, reviewed their community collaboration partners and community partners as well as provided a list of the schools they serve. She noted the totals for the admissions in Jasper County from 2017 thru 2022 and the number of services provided from 2017-2022.

Hopeful Horizons – Kristan Dubrowski, Chief Executive Director

Kristin Dubrowski, Chief Executive Director of Hopeful Horizons was present to discuss their budget request with Council. She noted that the mission of Hopeful Horizons is to protect, treat and

prevent. She said they are the only organization providing comprehensive free services in this area. She also discussed how the organization operates and what they do for Jasper County.

Jasper County Neighbors United – Tedd Moyd

Tedd Moyd of Jasper County Neighbors United was present to discuss their budget request with Council and noted he was not asking for an increase in their request. He said that they had helped multiple people this past year and thanked Council for their continued support. He said they have been raising funds for their organization as well in addition to the County's support. He also thanked Mr. Fulghum and said he was doing a great job and was very helpful in directing people over to them so they could provide them with assistance.

Boys and Girls Club of the Lowcountry – Chris Protz, Executive Director

Chris Protz, Executive Director of the Boys and Girls Club of the Lowcountry was not present for the workshop as he had went to a Hardeeville location instead by mistake.

For a complete review of the budget presentation documents please go to:
[https://www.jaspercountysc.gov/pdfs/county-council/e-packets/05.01.2023%20Agenda%20e-packet%20Part%201-%20%20\(Agenda%20-%20Budget%20Presentations\).pdf](https://www.jaspercountysc.gov/pdfs/county-council/e-packets/05.01.2023%20Agenda%20e-packet%20Part%201-%20%20(Agenda%20-%20Budget%20Presentations).pdf)

Executive Session 5:30PM

Officials Present: Chairman L. Martin Sauls IV, Councilman Pastor Alvin Adkins, Councilman John Kemp and Vice Chairwoman Barbara B. Clark. **Absent:** Councilman Coy Garbade.

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

Chairman Sauls called the Executive Session Meeting to order and read the Report of Compliance with the Freedom of Information Act was read for the records 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.*

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 – Professional Services—Pratt Memorial Library; Cypress Ridge Spec Building #1

(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](#)

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 at 6:30PM:

Motion to return to open session: Vice Chairwoman Clark

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Action coming out of Executive Session:

Motion to authorize the Administrator to enter into contracts to perform a Hazardous Materials Survey with a potential abatement plan should hazardous materials be found, and a Building Envelope / Structural Inspection with the Hazardous Material work not to exceed \$6,000 with the Building Envelope Structural work not to exceed \$14,000 : Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion passed.

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

Discussion of Consent Agenda and Agenda Items:

Councilman Kemp asked that Item #17 be removed from the Consent Agenda and added to the Regular Agenda as Item # 9A.

Approval of the Agenda:

Motion to approve the agenda with the noted change: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

PRESENTATIONS AND PROCLAMATIONS

Proclamation:

Chairman Sauls – Recognizing National Correctional Officers Appreciation Week May 7 – May 13, 2023.

Chairman Sauls read the Proclamation and Chairman Sauls and Council presented this proclamation to Director Arthur S. Benjamin Jr.

Presentations:

Smittie Cooler – Broad River Task Force Update and Recommendations.

Mr. Smittie Cooler was present to give the Broad River Task Force Update and Recommendations to Council. He discussed the issues that had caused the task force to join force. He mentioned they had worked hard to identify the problems and issues. He noted that it is their intent to fully support the Council and Staff in any way possible to resolve these problems. He discussed the Comprehensive Plan and their desire to have this plan be fully realized and actively perpetuated. He discussed the Euhaw Broad River Cultural Heritage District and the concerns of this area. Chairman Sauls stated that Council shares the same concerns and will be taking action. “Council is committed to preserving what is ours”, Chairman Sauls stated.

Motion to move to direct the Administrator and County Attorney to work with the Planning Staff to explore options to address the development pressures, infrastructure needs, and conversation opportunities in the area shown on the sketch map of the area North of Highway. 170 adjacent to Highway 462, and Northward along the Broad River, and to bring recommendations to County Council at the May 15th meeting of Council: Vice Chairwoman Clark

Second: Adkins

Comments: Chairman Sauls noted that he hoped the example that the County Council set here tonight would set an example for the Town of Ridgeland and City of Hardeeville to follow as well.

Vote: Unanimous

The motion passed.

PUBLIC HEARINGS AND ACTION ITEMS

Andrew Fulghum – Discussion and consideration of the 2nd reading of Ordinance #O-2023-08 to amend the Jasper Ocean Terminal Multi County Industrial / Business Park MCIP Agreement.

Mr. Fulghum was present to review and make this request. He noted that this was the 2nd reading of this ordinance to amend the Jasper Ocean Terminal Multi County Industrial / Business Park MCIP Agreement.

Motion to approve: Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion was approved.

Rose Dobson-Elliott – Consideration of bid proposal for a prefabricated steel building and slab for the County Maintenance Building.

Ms. Rose Dobson- Elliott was present to discuss the consideration of bid proposal for a prefabricated steel building and slab for the County Maintenance Building and the need for this request. Councilman Kemp asked where the money was coming from. Ms. Burgess said this would come from Capital Outlay. Council had some further discussion, and Vice Chairwoman Clark noted the need to trust the Directors to bring us the information.

Motion to approve: Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion was approved.

Lisa Wagner – Discussion and consideration of 1st reading to amend the Official Zoning Map of Jasper County so as to transfer a property located at 323 School Road, bearing Jasper County Tax Map Numbers 015-01-00-012 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

Ms. Wagner was present to review and make this request. She noted that this was the 1st reading of this request to amend the Official Zoning Map of Jasper County so as to transfer a property located at 323 School Road, bearing Jasper County Tax Map Numbers 015-01-00-012 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map. Ms. Wagner noted that the Applicant requests a Zoning Map Amendment to have a property designated as Community Commercial. The subject property consists of .74 acres and is located at 323 School Road in the Robertville Community. The subject property is currently zoned Residential and has a commercial building located on the property. The applicant would like to have the property re-zoned to Community Commercial so that the building can be used as a community event center.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as a “Hamlet”. Hamlets serve as commercial centers for everyday needs in the rural areas. Small-scale commercial should be allowed within these hamlets with proper design. The adjacent parcels are zoned Residential and Community Commercial with Rural Preservation nearby. Adjacent land uses are commercial, residential, and vacant property. The subject property is accessed by School Road, which is a county-maintained dirt road.

Planning Commission reviewed this application at their April 11, 2023 Planning Commission Meeting and recommends approval of the request to have the subject property designated as Community Commercial.

Motion to approve: Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion was approved.

Kimberly Burgess – Presentation, discussion and consideration of **1st reading** to provide for the levy of tax for public purposes in Jasper County for the fiscal year beginning July 1st, 2023 and ending June 30th 2024 and to make appropriations for said purposes; to adopt and approve the Jasper County capital and operations budget for fiscal year 2023-2024, to adopt and approve the Jasper County School District capital and operations budget for fiscal year 2023–2024; to provide for the levy of taxation for fiscal year 2023–2024; and matters thereto.

Ms. Burgess was present to review and make this request. She noted that this was the 1st reading to provide for the levy of tax for public purposes in Jasper County for the fiscal year beginning July 1st, 2023 and ending June 30th 2024 and to make appropriations for said purposes; to adopt and approve the Jasper County capital and operations budget for fiscal year 2023-2024, to adopt and approve the Jasper County School District capital and operations budget for fiscal year 2023–2024; to provide for the levy of taxation for fiscal year 2023–2024. She reviewed the changes made from the prior year ordinance for Council. It was noted that the public hearing for the budget will be held at the May 15th Council Meeting.

Motion to approve: Councilman Adkins

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion was approved.

CITIZEN COMMENTS

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 6:30PM 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.

Mr. Quincey Bentley was present to discuss land, subdivision and requirements.

Mr. James Pringle was present (he noted that his first cousin just spoke). He said he had gone thru the process in 2018 and that is requiring his cousin to wait 5 years.

Heddie Frazier spoke on the Coosawhatchie Community Center.

Administrator’s Report:

Mr. Fulghum noted that Council had his report in their packet and that he had a couple of items to review. As always he was available for questions.

National Travel and Tourism Week:

National Travel and Tourism week is May 7-13. Our Parks and Recreation Director, Mr. Devonte Genwright, will be working to promote the positive impact of travel and tourism on the State of SC as well as Jasper County via print and social media.

\$1.8 Million Grant from SC Rural Infrastructure Authority (RIA):

Jasper County received a grant award of \$1,827,338. as requested for the Church Road Drainage Project. Thanks to Ms. Lisa Wagner, Ms. Kim Burgess, and Ms. Kimberly Mullinax from LCOG for their work on securing this grant.

These drainage improvements will be another part of the larger neighborhood revitalization effort the County has completed over the last several years in the Church Road/Stiney Road Area.

Staffers are preparing a press release to summarize grant funding received, work completed, and ongoing work in this neighborhood revitalization effort.

County Council Workshop – Exit 3:

Reminder – workshop is to be held in the Council Chambers at 9:00 a.m. on May 5.

County Council Workshop – Ridgeland-Claude Dean Airport would be coming within the future.

Motion to approve the Consent Agenda: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion was approved.

CONSENT AGENDA

David Tedder – Consideration of the **2nd reading** of Ordinance **#O-2023-07** to amend Chapter 6 of the County Code of Ordinances (Buildings and Building Regulations) to Update References, Fees and Matters Related Thereto (**1st reading 04.21.2023; Public Hearing held 04.17.2023**).

Kimberly Burgess – Consideration of Resolution **#R-2023-05** to approve the State Accommodations Tax Committee recommendations for FY23-24.

Kimberly Burgess – Consideration of Resolution [#R-2023-06](#) to authorize the award of funds for requests for Local Accommodations and Hospitality Taxes for FY23-24.

This item (formerly item # 17) was moved up as Item # 9A: **Rose Dobson-Elliott** – Consideration of bid proposal for a prefabricated steel building and slab for the County Maintenance Building.

Approval of the minutes of March 20, 2023:

END OF CONSENT AGENDA

Council Members Comments:

Vice Chairwoman Clark said that she was glad to be there. She noted she had attended the Lions Board Meeting; EOC Training; Chamber Awards Banquet; and LCOG Board Meeting. She wished Happy Birthday's to her daughter, sister and nephew.

Councilman Kemp said he attended the monthly Magistrate Meeting; SOLOCO; SCA Board Meeting; Beaufort/Jasper Water Sewer Authority Meeting; Jasper on the Move and the United Way Annual Meeting.

Councilman Adkins just asked that all be blessed.

Chairman Sauls noted that Councilman Garbade was not present and asked everyone to keep Councilman Garbade and his wife in prayer. He attended the Southern Carolina Alliance Meeting; Jasper on the Move and the Chamber events.

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. For additional information on Items on this meeting go to https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

Adjournment:

Motion to adjourn: Councilman Kemp

Second: Vice Chairwoman Clark

Vote: Unanimous

The motion passed and the meeting adjourned.

Respectfully submitted:

L. Martin Sauls IV
Chairman

Wanda H. Simmons
Clerk to Council