



DUE TO THE COVID-19 STATE OF EMERGENCY, IN-PERSON COUNCIL MEETINGS ARE REPLACED WITH ELECTRONIC MEETINGS.

Watch Live via YouTube at:

https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCjIA

To Participate in Public Comment, please email to comments@jaspercountysc.gov or mail to Attn: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. To be called for public Comment, please email at the mentioned email address. ***Public Comments must be submitted by Tuesday, September 7, 2021, at 3:00pm.***

Instructions may also be found at the Jasper County website www.jaspercountysc.gov

FOR MORE INFORMATION, PLEASE CALL (843) 717-3696



JASPER COUNTY COUNCIL

VIRTUAL MEETING

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

Tuesday, September 7, 2021

AGENDA

5:00 P.M.

I. Call to Order by Chairwoman Barbara B. Clark

Clerk's Report of Compliance with the Freedom of Information Act.

II. Executive Session

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim - Jasper Ocean Terminal (JOT); Carolina Metal Castings; Sgt. Jasper Park; Peninsula Tract Levy VFD

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body - Jasper Ocean Terminal (JOT); Prospect Update; Project Ocean

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

6:30 P.M.

III. Return to Open Session

IV. Pledge of Allegiance

V. Invocation

VI. Approval of Agenda

VII. Approval of the Minutes of June 21, 2021; July 19, 2021; July 28, 2021, and August 9, 2021

VIII. Presentation:

A. **Danny Lucas** - U.S Census 2020 Final Report

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

**Please submit Public Comments via email at comments@jaspercountysc.gov or via US Mail at Attention: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. If you would like to be contacted by phone during Open Floor, please email your name, address and phone number to the email address listed above.*

X. Resolutions:

A. **Chief Wells** - Resolution # 2021-19 to declare certain property to be surplus and authorize its sale or disposition – Surplus Ambulance.

XI. Ordinances:

A. **Lisa Wagner** – Public Hearing and **2nd Reading** of Ordinance # 2021-25 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 063-38-01-013 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 76 Sweet William Road.

B: **Andrew Fulghum** – Public Hearing and **3rd reading** of Ordinance # 2021-24 to adopt a new organizational chart.

C: **David Tedder** – **1st reading** of an Ordinance to amend Chapter 8: Businesses and adopt the 2022 amendments to the business license ordinance

XII. New Business: NONE

XIII. Old Business:

A: **Chief Russell Wells** – COVID update

XIV. Council Members Comments

XV. Administrator's Report

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

XVII. Adjourn

***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:

VII

Approval of the Minutes



JASPER COUNTY COUNCIL

HYBRID MEETING

Council in person with Electronic Virtual Access for the Public

Jasper County Clementa C. Pinckney Government Bldg

358 3rd Avenue Ridgeland, SC 29936

June 21, 2021

Minutes

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

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Administrative Services Director Kimberly Burgess, Emergency Services Director Chief Russell Wells, Lisa Wagner Director of Planning and Building, and Jonathan Dunham.

Others Present: Sandy Steele, SouthernCarolina Alliance

Chairwoman Clark read the information below for the executive session and asked for a motion to go into executive session.

Chairwoman Clark called the meeting to order at 5:09pm.

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

Motion to go into executive session: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Call to Order by Chairwoman Barbara B. Clark

Clerk's Report of Compliance with the Freedom of Information Act.

Executive Session

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim –

Exit 3; Proposed Purchase of Property for Project Fence (421 N. Jasper St., Ridgeland SC.); Nickel Plate MCIP

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body – [Jasper Ocean Terminal \(JOT\)](#); [Prospect Update](#); [Project Lite](#)

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

Return to Open Session:

Motion to return to open session: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

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

Approval of Agenda:

Motion to approve: Councilman Adkins

Second: Councilman Sauls

The motion was amended to approve the revised agenda with the removal of Item # 11G - [David Tedder](#) – 3rd reading of Ordinance # [2021-16](#) of Jasper County Council to Amend Certain Provisions to the Jasper County Code of Ordinances, to Authorize Meetings to be Held by Telephonic or Other Electronic Means, and Matters Related Thereto: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Approval of the Minutes of April 19, 2021, May 3, 2021, and May 17, 2021:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Proclamations and Presentations:

There were no proclamations or presentation for this meeting.

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

Clerk to Council Wanda Simmons read the two public hearing comments for the record that were received from Coroner Willie Aiken and Ms. Emily Covey.

Resolutions:

A: David Tedder - Consideration of Resolution # 2012-13 to Extend the Business License Penalty Date from July 1st to August 1st.

Mr. Tedder reviewed this resolution and information for Council. He noted that this was only asking to extend the penalty date, and in order to get the collection service going this was the first step in getting this in line.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Sandy Steele – Consideration of Resolution # 2021-14 Authorizing (1) The Execution and Delivery of a Fee In Lieu Of Tax and Incentive Agreement by and between Jasper County, South Carolina (The “County”) and a Company Known to the County as Project Lite, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The “Company”), Pursuant to Which The County Shall Covenant to Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The “Project”); and (2) Other Matters Relating Thereto.

Sandy Steele presented this request on behalf of the SouthernCarolina Alliance. She reviewed the information with Council and discussed the Fee in Lieu of Tax and Incentive Agreement.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Ordinances:

A. Lisa Wagner – Public hearing and 2nd Reading of Ordinance # 2021-18 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 083-00-03-058 from the Community Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map. (5851 Lowcountry Drive)

Ms. Wagner addressed this request. She noted that the subject property consisted of 3 acres and is located at 5851 Lowcountry Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Mixed Business (MB). The property is currently zoned Community Commercial. Two commercial structures are located on the property. One is approximately 6,000 s.f. and the other one is approximately 15,000 s.f. According to the Assessor's property record, the property is valued at more than \$600,000. The property was developed in 1999 and has been home to Roll-A-Way Doors, Armor Building Solutions, and Rondavel. Each of these businesses has used the site for warehousing, manufacturing/fabrication, showrooms, and offices. Since the adoption of the 2007 Jasper County Zoning Ordinance, the businesses have operated as a legal non-conforming use. However, the Mixed Business District would allow these uses. According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. It should be noted that the Jasper County Comprehensive Plan's Land Use Exhibit shows the actual current use of this immediate area as commercial.

She noted that the adjacent parcels are zoned Community Commercial and Rural Preservation with Industrial Development and General Commercial nearby. Adjacent land uses are commercial, industrial, and vacant property that is planned for mixed use development. The subject property is accessed by Lowcountry Drive, which is a two-lane state-maintained highway, classified as an arterial road. Ms. Wagner noted that from a land use perspective, the Planning Commission recommends approval of the request to have the property designated as Mixed Business.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Lisa Wagner – Public hearing and 2nd Reading of Ordinance # 2021-19 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 067-00-01-002 from the Planned Development District to the General Commercial Zone on the Jasper County Official Zoning Map. (Argent Blvd. LRTA)

Ms. Wagner addressed this request. She noted that the subject property consisted of 7.24 acres and is located along Argent Boulevard. The subject property is owned by LRTA and is undeveloped. The property is inappropriately zoned Planned Development District, although it is not located within a PDD. This is a staff-initiated effort to have the property appropriately zoned. According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Commercial Centers," which are commercial nodes that are already developing and have a suburban rather than rural character.

She noted that the adjacent parcels are zoned General Commercial and Community Commercial and the property is adjacent to the City of Hardeeville. Adjacent land uses are commercial and vacant property, which is planned for mixed use development through the City of Hardeeville. Ms. Wagener noted that the subject property is accessed by Argent Boulevard, which is a two-lane state-maintained highway,

classified as an arterial road. She also noted that from a land use perspective, Planning Commission recommends approval to have the property designated as General Commercial. Ms. Wagner noted that the property had been posted and all notifications had been made. The public hearing was opened but no comments were received. The public hearing was closed.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C. Lisa Wagner – Public hearing and 2nd Reading of Ordinance # 2021-20 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 038-01-00-003 from the Resource Conservation Zone to the Residential Zone on the Jasper County Official Zoning Map. (186 Macedonia Road)

Ms. Wagner addressed this request. She noted that the subject property consisted .69 acres and is located at 186 Macedonia Road. The property is owned by Maria Hernandez and has a manufactured home located onsite. The property is currently zoned Resource Conservation and is non-conforming because the Resource Conservation Zoning District requires a minimum lot size of 2 acres. This is a staff-initiated effort to have the property appropriately zoned. According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by either the City of Hardeeville or the Town of Ridgeland. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation.

She noted that the adjacent parcels are zoned Residential. The City of Hardeeville municipal limits are nearby but are not adjacent to the property. Adjacent land uses are residential and vacant property, with a church nearby. The subject property is accessed by Macedonia Road, which is a two-lane state-maintained road, classified as a limited local road. She also noted that from a land use perspective, Planning Commission recommends approval to have the property designated as Residential.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

D. Lisa Wagner – Consideration of 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 087-00-03-011 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 8881 Coosaw Scenic Drive

Ms. Wagner addressed this request. She noted that the subject property consisted of 2.4 acres and is located at 8881 Coosaw Scenic Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a funeral home in 2006. The county-wide re-zoning project made this business

non-conforming. The applicant would like to expand the use of his business to add a crematory. Crematories are not allowed in Residential; however, a crematory is allowed in the Community Commercial Zoning District. According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Hamlets,” which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design.

She noted that the adjacent parcels are zoned Residential, Rural Preservation, and Community Commercial. Adjacent land uses are residential, commercial, and vacant property. The subject property is accessed by Coosaw Scenic Drive, which is a two-lane state-maintained highway, classified as an arterial road. She also noted that the Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

E. Lisa Wagner – Consideration of 1st Reading of an Ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 084-00-02-065 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 358 Chippa Willow Road.

Ms. Wagner addressed this request. She noted that the subject property consisted of .90 acres and is located at 358 Chippa Willow Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a commercial property in 1975 and has served as a store and as night club. The county-wide re-zoning project in 2007 made the commercial use non-conforming. The applicant would like to establish a non-profit social club, which is not allowed in Residential; however, a social club is allowed in the Community Commercial Zoning District. According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as a “Hamlet,” which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design.

Ms. Wagner noted that the adjacent parcels are zoned Residential, with Community Commercial nearby. Adjacent land uses are residential and vacant property. There are several commercial businesses nearby which includes two churches, a store, restaurant, and a fire protection business. The subject property is accessed by Chippa Willow Road, which is a two-lane state-maintained highway, classified as a limited local road.

Councilman Kemp noted that 2 Planning Commission members were against this request but the rest were for it. He said this was next to a church if they plan to serve alcohol. Ms. Wagner noted that the applicant said this is a nonprofit social club. Ms. Wagner noted that the Planning Commission recommends approval of the request to have the property designated as Community Commercial. Councilman Sauls said he had similar concerns as Councilman Kemp since it was near a church. Chairwoman Clark noted that she is not one that is for clubs.

Motion to approve: Councilman Kemp

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

F. David Tedder – 3rd reading of Ordinance # [2021-15](#) amending Chapter 4, *Alcoholic Beverages*, of the Jasper County Code of Ordinances, so as to clarify hours of operation and related matters.

Mr. Tedder was present to address this request and reviewed this ordinance with Council for the 3rd reading. He said there had only been one minor change since the 2nd reading and it was simply a numbering issue. He said the Sheriff had been consulted regarding the enforcement issues. He noted that this was the 3rd reading of this ordinance.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

G. David Tedder – 3rd reading of Ordinance # [2021-16](#) of Jasper County Council to Amend Certain Provisions to the Jasper County Code of Ordinances, to Authorize Meetings to be Held by Telephonic or Other Electronic Means, and Matters Related Thereto.

This item was removed from the agenda.

H. Andrew Fulghum – 3rd reading of Ordinance # [2021-17](#) to Adopt the 2021-2022 Jasper County Capital and General Operations Budget, to make such amendments to the 2020-2021 Capital and Operational Budget to recognize and ratify transfers as authorized by Section 7 of that Budget, and other matters related thereto.

Mr. Fulghum and Kimberly Burgess reviewed this item with Council. Mr. Fulghum addressed this item and noted that this was the 3rd and final reading of the ordinance to adopt the 2021-2022 Jasper County Capital and General Operations Budget, to make such amendments to the 2020-2021 Capital and Operational Budget. It was noted that this was the budget that they had all discussed, reviewed and had two readings on. It was noted that Council had been provided copies from Ms. Burgess. It was noted that staff was requesting approval for the 3rd reading of this ordinance. Chairwoman Clark noted that all of Council had been through the budget and that there had been budget workshops, and opportunities for questions and answers. She also noted that Council realized that there may be necessary times that budget amendments must be made during the year.

Motion to approve minus the position for the Auditor's Office: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

- I. **Andrew Fulghum – 1st reading** by Title Only of an Ordinance Authorizing (1) The Execution and Delivery of a Fee In Lieu Of Tax and Incentive Agreement by and between Jasper County, South Carolina (The “County”), a Company Known to the County as Project Lite, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The “Company”), Pursuant to which the County Shall Covenant to Accept Certain Negotiated Fees In Lieu of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The “Project”); and (2) Other Matters Relating Thereto.

Mr. Fulghum presented and reviewed this item for Council. He noted that this was first reading by Title Only.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

New Business:

A. Kimberly Burgess – Bid presentation Fire Station #30 Roof

Description: Ms. Burgess was present to address this item. She noted that Jasper County had advertised for sealed bids for a New Roof for Fire Station #30 with a deadline of 2:00 PM May 26, 2021. Three bids were received timely. The three bids were received from Alternative Roofing Solutions, Inc., ARC Incorporated, and Robert W. Nunnery Roofing Co. She noted that Robert W. Nunnery Roofing Co. was the perceived low bidder at the time of the bid opening with a total bid amount of \$83,000. The next lowest bidder was ARC Incorporated at \$145,500. Because the low bid was \$62,500 less than the next lowest bid and to perform due diligence with regard to the description of work covered under the bid, we reached out to the low bidder to confirm the scope of work covered under the bid. It was determined that the Nunnery bid included all of the described work, including asbestos abatement, but that the gauge of the roof panels was 26 gauge rather than 22 gauge. Nunnery provided an amount to correct the gauge of the metal which increased the bid \$8,450 from \$83,000 to \$91,450. A total amount \$54,050 less than the next lowest bid. It should be noted that the local preference provision of the procurement ordinance was applied to the bid of Alternative Roofing Solutions, however, the local preference did not change the bid results.

Ms. Burgess stated that based upon a careful review of the bids and additional due diligence inquiries regarding the scope and description of work included in the perceived low bid, staff recommended that Council award the contract for the Fire Station #30 roof replacement to Robert W. Nunnery Roofing Co. and authorize the County Administrator to enter into an agreement with said company.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Kimberly Burgess – Bid presentation Tarboro Community Center Roof

Description: Ms. Burgess was present to address this request. She noted that Jasper County had advertised for sealed bids for a New Roof for Tarboro Community Center with a deadline of 3:00 PM May 20, 2021. Six bids were received timely. The description of work in the bid notice required asphalt shingles and a metal roof as an alternate. The metal roof is preferred for its longevity and to be consistent with the other community centers in the County. Reliable Roofing & Repairs, LLC is the perceived low bidder for both the asphalt shingles (\$9,820) and the alternate metal roof (\$14,220.) The next lowest bidder is CMS Roofing LLC with a bid of \$13,700 for asphalt shingles and \$23,450 for the metal roof. She noted that because the low bid for the metal roof is \$9,230 less than the next lowest bid, staff reached out to the low bidder to confirm the scope of work and the gauge of metal quoted. Based on conversation with Mr. Stover from Reliable Roofing and Repairs, LLC, he originally bid 29-gauge metal since the gauge was not specified in the bid notice. The bid amount for 26-gauge metal will increase \$3,000 to \$17,220.00 which is \$6,230 less than the next lowest bidder.

Ms. Burgess stated that therefore, based upon a careful review of the bids and additional due diligence inquiries about the scope of work and the material included in the perceived low bid, staff recommends that the Council award the contract for the Tarboro Community Center Re-Roof to Reliable Roofing & Repairs, LLC for the metal roof.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

C. Kimberly Burgess – Bid presentation food service proposal and contract for the Detention Center

Ms. Burgess was present to address this request. She noted that Jasper County had advertised for proposals for the Provision of Food Services at the Jasper County Detention Center with a deadline of 2:00PM on May 6, 2021. Two proposals have been received timely via Vendor Registry. The two proposals or summit food services, LLC (the incumbent) and Trinity Services Group.

She noted that Summit food services, LLC has provided food service to the detention center for at least 21 years and during that time there had been very few, if any, complaints. The food service and quality had been exemplary. Summit provides food service to neighboring counties including Beaufort, Colleton, and Marlboro counties. Although, the cost per inmate for summit is approximately 25% higher than that of Trinity, the Summit staffing hours are approximately 36% greater than that of Trinity, which provides a more consistent product and minimizes discontent among the inmates.

Ms. Burgess noted that staff has carefully reviewed the proposals and recommends that Council award the contract for the provision of food services at the Jasper County Detention Center to Summit Food Services LLC, and to authorize the County Administrator to sign all applicable documents to award the food services contract to Summit.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

D. Kimberly Burgess - Consideration of Cyber Security Proposal - GlobalKynect

Description: Ms. Burgess was present to address this request. She noted that Jasper County had sought proposals from cyber security firms for a proposal to provide cyber security support to the County. The State Law Enforcement Division (SLED) previously recommended that the County hire a cybersecurity expert, however, the IT Director, was unable to fill the position. Therefore, to provide the needed cyber security support, the IT Director sought proposals from thirdparty cyber security providers. Three proposals were received. The GlobalKynect Solutions proposal provides the needed services at the best price of \$170,000 annually.

Recommendation: Ms. Burgess noted that staff recommends that the Council accept the GlobalKynect Solutions proposal for Cyber Security Support and enter into a three-year contract with GlobalKynect Solutions for the agreed upon services.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

Old Business:

A. Kimberly Burgess – Jasper County State Accommodations Tax Committee Recommendations

Ms. Burgess was present to address this request. She noted that the Jasper County Accommodations Tax Committee had met on May 5, 2021, to review the requests made by local organizations for State Accommodations Tax funds. The committee's recommendations are attached as well as the minutes of the meeting and the information submitted by each organization making a request.

Ms. Burgess noted that staff recommends that the County Council approve the allocation of State Accommodations Tax funds as recommended by the Accommodations Tax Committee on May 5, 2021. Chairwoman Clark noted that the staff had done a great job working on this and had figured out who would be getting what amount. Councilman Sauls noted he would be recusing himself since he served as Chairman of the Chamber of Commerce.

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: All votes were yes with Councilman Sauls recusing himself from the vote.

The motion passed.

B. Kimberly Burgess – Local Accommodations and Hospitality Tax Requests

Ms. Burgess was present to address this request. She noted that annually, Staff prepares an estimate of the local accommodations (A-Tax) and hospitality (H-Tax) taxes anticipated to be received in the succeeding fiscal year. The anticipated proceeds are estimated to be \$590,000 for FY21-22. This amount was calculated based on the YTD A-Tax and H-Tax receipts as of May 31, and an estimated amount for the remainder of the year the current year with an anticipated increase of approximately 11% due to the re-opening of the economy and an increase in collection efforts. Each year Council approves the allocation of local accommodations (A-Tax) and hospitality (H-Tax) tax funds to organizations that have requested funds and use the funds to promote tourism within the unincorporated portions of Jasper County. The organizations that have requested local A-Tax and H-Tax funds for fiscal year 2021- 2022 are provided on the attached list. Also, included on the list are amounts allocated to Jasper County to pay the airport construction loan, to make improvements to Exit 33 on Interstate 95, and to the electric bill associated with the Exit 33 on Interstate 95 lights. Ms. Burgess noted that staff recommends that the County Council approve the allocation as provided.

Motion to approve: Councilman Kemp

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C. Wanda Simmons – Consideration of an amendment to the 2021 Official Meeting Schedule for the County Council by changing the 07.06.2021 meeting date to 07.19.2021

Ms. Simmons was present to address this request. She noted that when the meeting schedule was drafted and approved it was approved with a July 6, 2021, meeting date. This request is to move the July 6, 2021, meeting date to July 19, 2021, as shown on the revised 2021 County Council Meeting Schedule. Ms. Simmons noted that the staff recommended approval.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

D. Andrew Fulghum – SOLOCO Regional Housing Trust Fund update.

Mr. Fulghum noted that Mr. Danny Lucas would be presenting this request to Council. He noted however, that he would like to make a few comments on this item before Mr. Lucas came forward to speak. He noted that he wanted to remind Council about the Southern Lowcountry Regional Board's meeting tomorrow. He noted that they are going to discuss this item at that time. He stated that back in October 2019 County Council had authorized the County Administrator to enter into a Memorandum of Agreement (MOA) with Beaufort County for the purpose of cost sharing for contacting a consultant to do some services to develop a Regional Affordable Housing Trust Fund. He noted that Jasper County

had been paying into that their portion in the amount not to exceed \$10,000 of the consultants fees to create this trust fund. He said the Consultant is actually doing a conference event presentation tomorrow and that Councilman Kemp will be there as he serves as the County Council's representative on that board. He noted that those who had attended the last meeting know that part of the Housing Trust fund of how is it going to be paid for and noted that there are several suggestions about how each participant may pay for this. He said some suggestions include direct preparations perhaps even the thought of some of the funds from the American Rescue Plan Act (ARPA) and even some discussion about additional money coming from HUD through the Home Program from the Lowcountry Council of Governments if it could be used.

Mr. Lucas noted for the Affordable Local Housing Trust Fund, he would be providing an update to Council. He said he would like to start with some background information. He noted that on May 6, 2021, they had a meeting with Consulting Company of Asakura Robinson, which is a Texas based company that is a Planner and Designer Firm. He noted they have a lot of experience in this sort of area setting up housing trust funds. He noted that they were hired in the Fall of 2020, to develop a plan for the regional housing trust fund for Beaufort County and Jasper County.

He noted that with Jasper County and its municipalities at that time \$140,000 was allocated or dedicated to the hiring of the other firm to conduct the plan. The idea was for them to provide a final update to the SOLOCO Board, Steering Committee any other entity that was interested. In the Spring of 2021, they were ready to move forward if the SOLOCO Board was ready for them to move forward. He noted that he wanted to go over the elements of how we got to where we are, and the problem with affordable housing. He said this problem of affordable housing had been going on for quite some time. As the population increases in our region, there is a mismatch of jobs and labor. The jobs he noted, are principally in one place like for instance in Beaufort County and the labor is scattered about in the counties of Allendale, Hampton, Colleton, Jasper and Beaufort.

This mismatch of labor and housing location for hospitality jobs, retail jobs and landscape jobs which are a most critical employment field, is where Palmetto Breeze (our original bus company) plays a huge part in helping this situation. He noted that Palmetto Breeze transports thousands of workers on a daily basis going to work from all five counties to the work location. With people traveling so far for jobs, this means they not only work long, hard hours, but they miss time with their families. He noted that the families do not have time many days to have dinner together and even creates situations with latchkey children in many homes throughout all of these areas. Mr. Lucas also reviewed and discussed the presentation that was in the Council Packet. This verbal presentation is available in its entirety on our YouTube page at: https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCjIA . Additionally, the packet is also available on our website at [County Council Agenda/Minutes/E-Packets | Jasper County, SC \(jaspercountysc.gov\)](https://www.jaspercountysc.gov/County-Council-Agenda/Minutes/E-Packets) . Councilman Sauls thanked Mr. Lucas for such a thorough and informative verbal presentation. He also noted that affordable housing is a concern for Council. He noted that unfortunately, affordability is based upon the market. There was no vote on this item as it was a presentation and discussion item only.

Councilmember Comments:

Councilman Kemp:

Councilman Kemp noted that at the Episcopal Church on Saturday they would be doing a pickup on snake Rd. He requested that council put money into the budget four letter and ask the citizens and drivers to please pay attention to the signs and slowdown in that area. He also noted that on June 26th Mitchellville was having a clean-up day as well. He mentioned that at some point he would like to talk about the Auditor's office, because Council needed to be able to give people answers if they called them. Councilman Kemp also mentioned that he had attended the City of Hardeeville and Jasper County joint executive session in hopes of having better communication between the two.

Councilman Adkins:

Councilman Adkins thanked everyone for their work. He also noted that he had retired from the County after working for the County 18 years. He said he will be riding around the County and that he likes beautification and looking for ways to beautify the County. He noted that the Courthouse was being pressure washed and the areas around the Administrative and Courthouse they are getting some pinestraw and some trees. He thanked the Administration and everyone for sharing with one another.

Councilman Sauls:

Councilman Sauls noted that Councilman Adkins was doing a good job. He said there is a lot going on with the Chamber of Commerce and mentioned the Grand Opening of the New Gander Mountain and it's ribbon cutting. He noted that they had made the ribbon cutting into a very special event and a flag event for the area. He mentioned that they played the National Anthem until the flag was raised and that this location had created about 100 jobs. He noted that on June 17th that had a ribbon cutting for Ridgeland's new water treatment plant. He mentioned the Spring and Summer Festivities with the Singing Medallions. Also, he noted that the new Community Center in the Town of Ridgeland would be having a ribbon cutting which would be a community event. Additionally, he noted that the Chamber Scholarship Program had made a lot of graduating seniors very happy. Councilman Sauls said he would also like to mention that he had also attended the City of Hardeeville and Jasper County joint executive session.

Chairwoman Clark:

Chairwoman Clark thanked everyone for the many phone calls and text she had received over the weekend. She said that the Emergency Services personnel and group had been great to her and never left her side for a second. She said she truly wanted to let everyone know, how wonderful our Emergency Services Group is when working with patients. She thanked God for keeping her safe when the accident occurred and that he had protected her from further harm.

Administrator's Report:

Mr. Fulghum mentioned that his report had been placed in the County Council Packet. He noted that a meeting was held on June 14 relating to the Multi-County Park (MCIP) Agreements with Partner Counties to discuss the issue with Beaufort County staff. Staff is actively reconciling the matter and

will report back to Council on this matter at a later time. He also noted that staff is preparing information for Council for a proposed workshop in order to review and discuss the Jasper County Emergency Operation Plan, Regional Hazard Mitigation Plan and the Regional Shelter Project. He also noted that Russell Wells had been serving for 10 months as the Interim Director of Emergency Services and Fire Chief. He said they had advertised the position and that they had 41 candidates apply, of which 11 were interviewed. He said he was pleased to note that today he offered Russell Wells the position of Director of Emergency Services Fire Chief.

Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II:
There was no need to return to executive session for this meeting.

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed and the meeting adjourned at 8:03pm.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL

HYBRID MEETING

Council in person with Electronic Virtual Access for the Public

Jasper County Clementa C. Pinckney Government Bldg

358 3rd Avenue Ridgeland, SC 29936

July 19, 2021

MINUTES

The workshop was called to order by Chairwoman Clark.

Workshop Topics:

- **Andrew Fulghum – Corona Virus State and Local Fiscal Recovery Funds**
- **Danny Lucas – Hazard Mitigation Plan**
- **Chief Russell Wells – Emergency Management / Regional Shelter**
- **David Tedder – Electronic Meetings Ordinance**

Andrew Fulghum – Corona Virus State and Local Fiscal Recovery Funds -

Mr. Fulghum reviewed the slides provided to Council in their Council e-packet for the Corona Virus State and Local Fiscal Recovery Funds with them for this item.

Danny Lucas – Hazard Mitigation Plan -

Mr. Lucas reviewed and discussed the Hazard Mitigation Plan Brief covering the information in the Hazard Mitigation Plan provided to the Council for this meeting.

Due to the extensive size of these documents, the review of each can be heard on our YouTube link at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA and on the County website under e-packets at <https://www.jaspercountysc.gov/elected-officials/county-council/county-council-agenda-minutes>.

Chief Russell Wells – Emergency Management / Regional Shelter -

Chief Wells reviewed the Emergency Management / Regional Shelter information that he provided to them for this meeting.

Due to the extensive size of these documents, the review of each can be heard on our YouTube link at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA and on the County website under e-packets at <https://www.jaspercountysc.gov/elected-officials/county-council/county-council-agenda-minutes>.

David Tedder – Electronic Meetings Ordinance -

Mr. Tedder reviewed the Electronic Meetings Ordinance which was also on the agenda for the 3rd reading. He noted this had been discussed several times at previous meetings. Mr. Tedder reviewed the reasoning and necessity for the ordinance along with the pertinent change information.

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

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda H. Simmons, County Attorney David Tedder, Administrative Services Director Kimberly Burgess, Emergency Services Director Chief Russell Wells, Danny Lucas of Development Services for Jasper County and Acting Airport Manager, Lisa Wagner Director of Planning and Building, Nicole Holt, Human Resource Director and Jonathan Dunham.

At the conclusion of the workshop the meeting was called to order at 5:14 pm by Chairwoman Barbara B. Clark. Chairwoman Clark asked the Ms. Simmons, Clerk to Council to read the report of compliance. Ms. Simmons read the report of Compliance with the Freedom of Information Act.

Motion to go into executive session: Councilman Sauls

Second: Councilman Dr. Brantley

Vote: Unanimous

The motion passed.

Executive Session

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that a hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing – [County Council; Coroner](#)

(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – [699 Church Rd.; Hardeeville Satellite Office Lease; Exit 3 and Legal Services Contract; Nickel Plate MCIP; Mercury Funding Case - Tax Sales](#)

(3) Discussion regarding the development of security personnel or devices – [Cyber Security](#)

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body – [Jasper Ocean Terminal \(JOT\); Prospect Update; Project Riddler](#)

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.

Return to Open Session:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Business and motions from executive session:

Motion to authorize the Administrator to expend not to exceed fifty thousand dollars to implement the Cyber Security measures as discussed in executive session: Councilman Adkins

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Motion to authorize the Administrator to add Exit 3 matters to the existing legal services contract with the Parker Poe Law Firm using the same pay rates: Councilman Kemp

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

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

Approval of Agenda:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Approval of the Minutes of May 27, 2021:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Proclamations and Presentations:

A: David Tedder - Presentation of Proclamation for the Gullah Geechee National Appreciation Week.

County Attorney Mr. Tedder read the proclamation for the record.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Danny Lucas - Presentation of a proclamation to proclaim August 15th thru August 22nd as South Carolina Aviation Week in Jasper County.

Mr. Lucas read the proclamation for the record.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

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

There were no public comments for this meeting.

Resolutions:

Danny Lucas - Resolution # 2021-15 of Jasper County Adopting the 2020 Lowcountry Natural Hazard Mitigation Plan.

Mr. Lucas read resolution # 2021-15 for the record.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Ordinances:

A. Lisa Wagner - 3rd Reading of Ordinance # 2021-18 to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 083-00-03-058 from the Community Commercial Zone to the Mixed Business Zone on the Jasper County Official Zoning Map. (5851 Lowcountry Drive)

Ms. Wagner was present to address this request. She noted that the subject property consisted of 3 acres and is located at 5851 Lowcountry Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Mixed Business (MB). The property is currently zoned Community

Commercial. Two commercial structures are located on the property. One is approximately 6,000 s.f. and the other one is approximately 15,000 s.f. According to the Assessor's property record, the property is valued at more than \$600,000. The property was developed in 1999 and has been home to Roll-A-Way Doors, Armor Building Solutions, and Rondavel. Each of these businesses has used the site for warehousing, manufacturing/fabrication, showrooms, and offices. Since the adoption of the 2007 Jasper County Zoning Ordinance, the businesses have operated as a legal non-conforming use. However, the Mixed Business District would allow these uses.

She noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation," which seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. Most development, particularly commercial development, should be guided to the hamlets. It should be noted that the Jasper County Comprehensive Plan's Land Use Exhibit shows the actual current use of this immediate area as commercial.

The adjacent parcels are zoned Community Commercial and Rural Preservation with Industrial Development and General Commercial nearby. Adjacent land uses are commercial, industrial, and vacant property that is planned for mixed use development. The subject property is accessed by Lowcountry Drive, which is a two-lane state-maintained highway, classified as an arterial road.

Ms. Wagner stated that from a land use perspective, the Planning Commission recommends approval of the request to have the property designated as Mixed Business.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Lisa Wagner - 3rd Reading of Ordinance # [2021-19](#) to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 067-00-01-002 from the Planned Development District to the General Commercial Zone on the Jasper County Official Zoning Map. (Argent Blvd. LRTA)

Ms. Wagner was present to address this request. She noted that the subject property consists of 7.24 acres and is located along Argent Boulevard. The subject property is owned by LRTA and is undeveloped. The property is inappropriately zoned Planned Development District, although it is not located within a PDD. This is a staff-initiated effort to have the property appropriately zoned.

She noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Commercial Centers," which are commercial nodes that are already developing and have a suburban rather than rural character.

The adjacent parcels are zoned General Commercial and Community Commercial, and the property is adjacent to the City of Hardeeville. Adjacent land uses are commercial and vacant property, which is planned for mixed use development through the City of Hardeeville. The subject property is accessed by Argent Boulevard, which is a two-lane state-maintained highway, classified as an arterial

road. Ms. Wagner stated that from a land use perspective, Planning Commission recommends approval to have the property designated as General Commercial.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Ordinance item D was moved ahead of item C.

D. Lisa Wagner - Public hearing and 2nd Reading of Ordinance # [2021-21](#) to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 087-00-03-011 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map - 8881 Coosaw Scenic Drive

Ms. Wagner was present to address this request. She noted that the subject property consisted of 2.4 acres and is located at 8881 Coosaw Scenic Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a funeral home in 2006. The county-wide re-zoning project made this business non-conforming. The applicant would like to expand the use of his business to add a crematory. Crematories are not allowed in Residential; however, a crematory is allowed in the Community Commercial Zoning District.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Hamlets," which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design. The adjacent parcels are zoned Residential, Rural Preservation, and Community Commercial. Adjacent land uses are residential, commercial, and vacant property. The subject property is accessed by Coosaw Scenic Drive, which is a two-lane state-maintained highway, classified as an arterial road.

Ms. Wagner stated that the Planning Commission recommends approval of the request to have the property designated as Community Commercial. The public hearing was held and opened for public comment.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C: Lisa Wagner - 3rd Reading of Ordinance # [2021-20](#) to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 038-01-00-003 from the Resource Conservation Zone to the Residential Zone on the Jasper County Official Zoning Map. (186 Macedonia Road)

Ms. Wagner was present to address this request. She noted that the subject property consisted of .69 acres and is located at 186 Macedonia Road. The property is owned by Maria Hernandez and has a

manufactured home located onsite. The property is currently zoned Resource Conservation and is non-conforming because the Resource Conservation Zoning District requires a minimum lot size of 2 acres. This is a staff-initiated effort to have the property appropriately zoned.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Urban Transition," which are pockets of unincorporated Jasper County that are partially or entirely surrounded by either the City of Hardeeville or the Town of Ridgeland. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation.

She noted that the adjacent parcels are zoned Residential. The City of Hardeeville municipal limits are nearby but are not adjacent to the property. Adjacent land uses are residential and vacant property, with a church nearby. The subject property is accessed by Macedonia Road, which is a two-lane state-maintained road, classified as a limited local road.

Ms. Wagner noted that from a land use perspective, the Planning Commission recommends approval to have the property designated as Residential.

Motion to approve: Councilman Sauls

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

E. Lisa Wagner – Public hearing and 2nd Reading of Ordinance # [2021-22](#) to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 084-00-02-065 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 358 Chippa Willow Road.

Ms. Wagner was present to address this request. She noted that the subject property consisted of .90 acres and is located at 358 Chippa Willow Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a commercial property prior to 1975 and has previously served as a store and a night club. The county-wide re-zoning project in 2007 made the commercial use non-conforming. The applicant would like to establish a non-profit social club, which is not allowed in the Residential Zoning District; however, a social club is allowed in the Community Commercial Zoning District.

She noted that at last month's meeting there was some concern about what exactly a social club is and what is the difference between a private club or a public club. While the applicant has applied for a re-zoning to the Community Commercial Zone for the purpose of establishing a Social Club, the request should be reviewed to determine if Community Commercial is compatible with the surrounding area and if it is supported by the County's Comprehensive Plan rather than the proposed use. If the property were re-zoned to the Community Commercial Zoning District, the applicant is not restricted to the proposed use, and would be allowed to establish any use that is allowed within the Community Commercial Zoning District.

The Jasper County Zoning Ordinance, *Use Regulations* references the North American Industry Classification System (NAICS) Code as a basis for determining land uses. In accordance with the NAICS Code social clubs and drinking places (nightclubs) are two different types of establishments. A social club is identified as a Civic and Social Organization that is primarily engaged in promoting social and civic interests of its members. Other examples include, alumni associations, automobile clubs, ethnic associations, fraternal associations, veteran's membership associations, etc. These establishments may operate bars or restaurants for their members. Drinking places include bars, taverns, night clubs, or drinking places that are primarily engaged in preparing and serving alcoholic beverages. The Jasper County Zoning Ordinance allows Social Clubs in the Community Commercial Zoning District, but Drinking Places are not allowed in the Community Commercial Zoning District.

In this case, she noted if the property were rezoned to Community Commercial, the county staff can issue a Zoning Certificate for a social club, but not "drinking place," which then would give staff the ability to revoke the business license or take other code enforcement actions if the business is operated differently than a social club.

She noted that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as a "Hamlet," which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design. She also mentioned that the adjacent parcels are zoned Residential, with Community Commercial nearby. Adjacent land uses are residential and vacant property. There are several commercial businesses nearby which includes two churches, a store, restaurant, and a fire protection business. The subject property is accessed by Chippa Willow Road, which is a two-lane state-maintained highway, classified as a limited local road.

Ms. Wagner stated that the Planning Commission recommends approval of the request to have the property designated as Community Commercial. The public hearing was held and opened for public comment.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

F. David Tedder – 3rd reading of Ordinance # 2021-16 of Jasper County Council to Amend Certain Provisions to the Jasper County Code of Ordinances, to Authorize Meetings to be Held by Telephonic or Other Electronic Means, and Matters Related Thereto.

Mr. Tedder was present to address this request. He noted that this was the 3rd reading of the ordinance. He also mentioned that this item had just been discussed in the earlier workshop prior to this meeting. He said this would amend Chapter 2 of the Code of Ordinances amending the standards for holding electronic / telephonic meetings. He noted that this would enact a permanent ordinance based upon how the County Meetings had operated over the last 14 to 15 months. He also noted that this covered public comments of said meetings.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: All votes were yes except Councilman Kemp who voted nay.

The motion passed.

G. Andrew Fulghum - 2nd reading of Ordinance # 2021-23 Authorizing (1) The Execution and Delivery of a Fee In Lieu Of Tax And Incentive Agreement by and between Jasper County, South Carolina (The "County"), a Company Known to the County as Project Lite, Acting for Itself, One or More Affiliates, and/or Other Project Sponsors (Collectively, The "Company"), Pursuant to which the County Shall Covenant to Accept Certain Negotiated Fees In Lieu Of Ad Valorem Taxes with Respect to the Establishment and/or Expansion of Certain Facilities in the County (The "Project"); and (2) Other Matters Relating Thereto.

Mr. Fulghum addressed and reviewed this request for Council. He also noted that the public hearing and 3rd reading would be held on August 16, 2021.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

H. Kim Burgess - Public hearing and 3rd reading of Ordinance # 2021-05 to provide for the issuance and sale of not exceeding \$5,990,000 General Obligation Refunding Bonds of Jasper County, South Carolina; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto.

Ms. Burgess was present to address and review this item for Council. She noted that the County would save approximately 2 million dollars over the next 20 years by doing this.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

I. Andrew Fulghum - Consideration of 1st reading of an ordinance to adopt a new organization chart.

Mr. Fulghum was present to address this request. He noted that this changed the official organizational chart of the County and noted that the chart was included with the ordinance. He stated that the big change was the re-establishment of the position of the Development Services Director.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

New Business:

A. Nicole Holt – Approval of the Holiday Schedule for Jasper County Employees for the 2021 – 2022 year.

Mr. Fulghum was present to address this request to Council. He noted that new Holiday Schedule calendar adds Juneteenth to the schedule.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Nicole Holt – Consideration of approval of position descriptions authorized in fiscal year 2022 budget.

Mr. Fulghum presented this request to Council. He noted that there were 7 new job descriptions as based on the decisions made during the budget. This adds another Sergeant position and the rest are new positions. The new positions are: Airport Maintenance Technician, Code Enforcement Officer, Development Services Director, Administrative Building Front Desk Receptionist, Detention Center Lobby Clerk, Administrative Clerk, Geographic Information Systems Technician He noted these were prepared and recommended by HR Director Nicole Holt and recommended by the County Administrator.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C. David Tedder – Discussion regarding impact of Greenville County Road Maintenance Fee Case.

Mr. Tedder started the discussion for Council. He explained significance to Jasper County relating to the Greenville County Road Maintenance Fee. He noted that this case had been challenged as it did not meet certain requirements of a statute as amended by the SC Legislature. That decision said the road maintenance fee of the county did not meet muster. And it did not strike down the prior ordinance of Greenville passed prior to the legislative change. County Attorney's had a discussion with roundtable discussion hosted by the SCAC relating to this issue. At this time Jasper County has a road maintenance fee passed after the legislative change, so there is a question of it's continued viability. That means the ordinance may not withstand the judicial challenge. We expect additional guidance in the next 4 weeks or so. He explained that Jasper County was looking into this issue very closely. This item was for discussion only, so no action was taken.

D. Kim Burgess - Bid presentation for Concrete Pad and Steel Building at Emergency Services building.

Ms. Burgess addressed this item for Council. Jasper County advertised for sealed bids for the construction of a concrete pad and steel building at the Jasper County Emergency Services Building in Ridgeland. The bids were due to the County at 11 AM on June 21, 2021. Three bids were received timely. The perceived low bidder is Davis Builders, LLC for a total of \$57,500. The concrete pad and steel building will be used to store special needs medical equipment for the Regional Emergency Shelter and is partially funded by a Assistant Secretary for Prepared and Response Federal grant (ASPR) under the Health and Human Services Department in the amount of \$32,000 with a close-out deadline of September 30, 2021. The grant match of \$25,500 will be paid from the grant match line item (010-095-2615.) Ms. Burgess noted that staff recommended that the Council accept the bid proposal submitted by Davis Builders, LLC in the amount of \$57,500 and authorize Mr. Fulghum to execute all necessary documents. Ms. Burgess requested that this bid be accepted, and that Mr. Fulghum would execute all documents.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Old Business: NONE

Council Members Comments:

Councilman Kemp:

Councilman Kemp stated that he had talked with the Lowcountry Council of Government and had met with the Lowcountry food bank. He had asked the foodbank to let Council know when they were giving out food so Council would know if anyone asked about it. He also discussed the COVID vaccine and about getting shots. He noted he had spoken with the Lowcountry Council of Government regarding the Council of Aging. He had met with Veterans Affairs and had spoken with the Veterans Affairs Officer who noted that he wanted to get Veterans over to VA hospitals. He also noted that the Sheriff's Department had gotten a grant and they were going to be using that grant to clean up the garbage on Tammy Rd.

Councilman Dr. Brantley:

Councilman Dr. Brantley stated that since the last meeting he had met with Congressman Cochran and the meeting was very informative. He noted that there was always a public comment time at all meetings. He reminded one to two people cannot make legal decisions for Council because it takes 2/3 of Council to make legal decisions. He encouraged the public that if they weren't happy with the elected officials to vote in the upcoming elections. He again mentioned that if anyone provides a public comment that they will get a response.

Councilman Adkins:

Councilman Adkins thanked God for everyone and noted that he hoped all was well. He mentioned that people will see his face throughout the County because he likes beautification. He noted that

the sprinkler system had been fixed and that pine straw was now down. He noted that he had worked with the County for 18 years and that the air conditioning employee needs help because when things breakdown it is a strain on him. He asked that everyone keep he and his family in prayer, and he would do the same.

Councilman Sauls:

Councilman Sauls said that they have recently had the executive board meeting of Southern Carolina Alliance. He said there were more jobs being created as well as businesses. He noted that Mr. Fulghum, County Administrator, Chief Russell Wells, Emergency Services, Danny Lucas, Development Services and Airport, Wanda Simmons, Clerk to Council, Kim Burgess Finance Director, and County Attorney, David Tedder all represented the County well. He noted that he thought the County Council had a great team and he was proud of their positivity and their focus. He noted that he hoped that there were more good things to come.

Administrator’s Report:

Mr. Fulghum noted that he had prepared his report and it was in the Council’s packet. There will be a workshop / called meeting on Monday, August 9th. He also noted in his report that he had received some questions regarding Beaufort County Council’s effort to call for a referendum as to the voter’s choice of form of Government. He had included in his report a copy of the Beaufort County Council’s ordinance as well as some general information regarding the various forms of County Government in the State of South Carolina. He then noted that Chief Wells would be presenting the most current COVID statistics for Council. This information on the COVID statistics is attached as Attachment A.

Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II: There was no need to return to executive session.

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

The meeting adjourned at 7:57pm.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL
SPECIAL CALLED HYBRID MEETING
Council in person with Electronic Virtual Access for the Public
Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936
Wednesday, July 28, 2021
Minutes

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

Staff Present: County Administrator Andrew Fulghum, County Attorney David Tedder, Clerk to Council, Wanda Simmons, Deputy Clerk to Council, Tisha Williams, Administrative Services Director Kimberly Burgess. Also present - Coroner, Willie Aiken, and Jonathan Dunham.

Chairwoman Barbara B. Clark called the meeting to order. Chairwoman Clark gave the report of compliance with the Freedom of Information Act.

Chairwoman Clark read the information below for the Executive Session and asked for a motion to go into executive session.

Executive Session

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body - County Coroner

Motion to go into executive session: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed and Council entered executive session.

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

Return to Open Session:

Motion to return to executive session: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed and Council returned to regular session.

Adjourn:

Motion to adjourn: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed and the meeting adjourned.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman



JASPER COUNTY COUNCIL
HYBRID SPECIAL CALLED MEETING
Council in person with Electronic Virtual Access for the Public
Jasper County
Clementa C. Pinckney Government Bldg
358 3rd Avenue
Ridgeland, SC 29936
August 9, 2021
Minutes

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

Staff Present: County Administrator Andrew Fulghum, County Attorney David Tedder, Clerk to Council, Wanda Simmons, Administrative Services Director Kimberly Burgess. Also present – Jonathan Dunham.

Guests Present: Mr. Stu Rodman, Mr. Kraig Gordon, Mr. Rudy Smith, Mr. Jared Fralix, Mr. Ryan Eckenrode, Ms. Emily Swearingen

Chairwoman Barbara B. Clark called the meeting to order. Clerk to Council, Wanda Simmons gave the report of compliance with the Freedom of Information Act.

Chairwoman Clark read the information below for the Executive Session and asked for a motion to go into executive session.

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

Presentations:

A: Andrew Fulghum: Presentation and discussion of SC 170 Corridor Access Management Study and related matters.

County Administrator, Mr. Fulgum noted that there were a few guests present for the meeting tonight for the purpose of discussing the route 170 plan. He noted that the following people were in attendance:

- Mr. Stu Rodman, a long serving Beaufort County Council member in District 11
- Mr. Kraig Gordon, a retired Colonel in the Army and the Owner and President of Gordon Construction and Chairman of the Beaufort County Transportation Committee
- Mr. Rudy Smith retired Command Sergeant Major - U S Army retired and Jasper County retired, and Chairman of the Jasper County Transportation Committee
- Mr. Jared Fralix, the Assistant County Administrator of Engineering at Beaufort County

Mr. Fulghum noted that this has been a joint effort with staff members and elected officials from Beaufort County and Jasper County working on this together. He said before he introduced the speaker who would be presenting the study tonight, Mr. Eckenrode, that he just wanted to talk a few minutes about the South Carolina 170 corridor Access Management Study.

Mr. Fulghum noted that this study had been commissioned by the Lowcountry Council of Governments for the LATS and presented to LATS last October 2019. He noted it provided a brief history of the relationship between two counties with regard to Route 170. He noted that Beaufort and Jasper Counties had agreed to abide by a Corridor Access Management Plan for Route 170 back in the mid 2000's which would ensure that access points were coordinated for projects on both sides (the East and the West sides) of the road by mandating that the two counties discussed development projects along the corridor. He noted that they had entered into that partnership. In 2017 Beaufort and Jasper Counties took part in a county boundary adjustment with the South Carolina Revenue and Fiscal Affairs Office for the geodetic survey services. This reestablished the county line as being the center line of route 170. What had happened, he noted, was that over the years as the roadway changed and was improved and the center line got shifted off (so the county boundaries were actually off) and they were readjusted to get them back to the center line of the highway. Mr. Fulghum noted that the study presented tonight identified what needed to be done to make the roads serviceable for the growth that is taking place in both counties. Also, he noted that the Beaufort and Jasper County Transportation Committees had already jointly participated in funding one of the improvements recommended in the study.

Mr. Fulghum stated that tonight's presentation is particularly important and timely for Jasper County because the County is in the midst of a county wide impact fee study. He noted that we are coordinating this effort with Beaufort County staff because we have common transportation issues and needs. The route 170 study will be considered in our impact fee study and we will ultimately be proposing to the Council for Council's consideration a set of transportation impact fees to be collected from development projects going forward to help defray the cost of these improvements. Impact fees will reduce the costs to existing residents and businesses and Beaufort and Jasper County staff both believe that the coordination of the impact fee programs and transportation sales tax programs for both the counties will ensure that we are leveraging as much funding as possible to go toward making these improvements. Mr. Fulghum thanked Council for indulging him for that introduction and he introduced Mr. Ryan Eckenrode who has been joined he's joined by Ms. Emily Swearingen. He noted that Ryan is the Project Manager and Senior Traffic Engineer at AE com and was the person who had prepared the study and that he would walk through it with Council.

Mr. Eckenrode thanked Council for taking the time to hear his upcoming presentation. He noted that this presentation was on the SC170 Corridor Access Management Study and provided an overview of the project. He noted that the study area was 4.4 miles (Okatie Center Blvd S to SC 462). He noted that the speeds varied from 45 to 55 mph and they picked 16 intersections and 1 interchange at Hwy 270 for the study. He said that there are now 5 traffic signals and in 2019.

He noted that in 2010 Beaufort County Okatie Hwy (SC170) and Wes Fording Island Road (US 278) Joint Corridor Access Management Plan. In 2018 Beaufort County, City of Hardeeville, and SCDOT Road Safety Audit someone put together a road collision audit. He noted that they had looked at signal spacing in the area. He noted that the Steering Committee had began meeting in February 2019 and

in June of 2019 they had started getting some solutions. He noted that on the Public Comments on the Wiki-Map that from April 9, 2019, until June 21, 2019, there had been 519 visitors and 319 comments. He provided the crash summary and the existing traffic operations. He reviewed future conditions (year 2040) and systemic solutions. He discussed the Reduced Conflict Intersection (RCI) Signal, how it works in a safer method with few delays, and the common RCI questions. He discussed the near-term projects, intermediate projects, and long-term projects for Council. Mr. Eckenrode also discussed future 2040 traffic operations with Council. The full presentation can be watched on the YouTube link at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA.

B: Chief Russell Wells – COVID Update.

Chief Wells thanked Council for allowing him to present this information. He provided the most current COVID update information, noting that regrettably as Council could see in the information provided, that there had been an exponential increase in our positivity rate. He noted that the County positivity rate had jumped from the July 19 briefing when the County was at 2.4%, as of today that the County was at a 20% positivity rate. He noted also that the State of South Carolina had went from a 5.3% to a 14% positivity rate. He asked that Council also bear in mind that the testing results are at about a 400-test count increase. He noted that from the July 19 briefing that 984 tests were conducted. He noted that from that time until about today, there were 1335 tests, so the County has gone from a 2.4% positivity rate of the 984 test administered to the now current 20% of 1335 tests administered. He also mentioned that the County had lost one additional citizen to COVID. He also noted that as Council could see, each of the daily case counts are exponentially climbing. He noted that testing was still being provided and vaccines were still being administered to people ages 12 years old and older. He provided testing locations as well as vaccine locations, noting that as we go through not much has changed as far as the ability to go get testing and vaccinations. After the completion of Chief Well's presentation, Chairwoman Clark noted that the County needed to go back to Virtual Meetings due to the increase in the COVID statistics.

Motion to have the next County Council meeting on August 16, 2021, as a virtual meeting:

Councilman Sauls

Second: Chairwoman Clark

Vote:

Vice Chairman Dr. Brantley – no

Councilman Sauls – yes

Councilman Kemp – no

Chairwoman Clark – yes

Councilman Adkins – abstained

There were 2 yes votes and 2 no votes so the motion failed.

Chairwoman Clark noted that she would be on ZOOM for the next meeting.

Ordinances:

A: David Tedder - Consideration of the 1st reading of an ordinance BY TITLE ONLY to amend Chapter 27, Article 1 of the Jasper County Code of Ordinances (The Jasper County Road Maintenance Fund).

Mr. Tedder presented this request to Council. He noted that this was a first reading of the ordinance by Title Only so there were no documents in the e-packet. He discussed the particulars of this ordinance for Council and said they would see a draft ordinance document for the second reading. Mr. Tedder stated that he had attended the County Attorney Meeting and that those who had attended the SCAC meeting had been given some information pertaining to this. He said there is not a clear-cut answer since it depends upon the County's ordinance.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B. Lisa Wagner – 3rd Reading of Ordinance # [2021-21](#) to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 087-00-03-011 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map – 8881 Coosaw Scenic Drive.

Mr. Tedder presented this request. He noted that the subject property consisted of 2.4 acres and is located at 8881 Coosaw Scenic Drive. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The property was developed as a funeral home in 2006. The county-wide re-zoning project made this business non-conforming. The applicant would like to expand the use of his business to add a crematory. Crematories are not allowed in Residential; however, a crematory is allowed in the Community Commercial Zoning District.

According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Hamlets," which serves as commercial centers for everyday needs. Small scale commercial developments should be allowed, with proper design. The adjacent parcels are zoned Residential, Rural Preservation, and Community Commercial. The adjacent land uses are residential, commercial, and vacant property. The subject property is accessed by Coosaw Scenic Drive, which is a two-lane state-maintained highway, classified as an arterial road. The Planning Commission recommended approval of the request to have the property designated as Community Commercial.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

New Business:

A: [Kimberly Burgess](#) – Discussion of options of the Corona Virus Spending (no action to be taken).

Kimberly Burgess was present to discuss the options of the Corona Virus Spending. Ms. Burgess reviewed the total amount of fiscal recovery funds and the proposed uses of funds. She discussed the premium pay that Council had previously discussed for first responders and solid waste attendants for that time period. She then reviewed the revenue replacement for government

services due to the loss of revenue. She also discussed the investment previously discussed for affordable housing in the form of an affordable housing trust. Mrs. Burgess noted that based upon regulations she has looked at ways to use the 5.8 million dollars.

**Jasper County
Coronavirus State and Local Fiscal Recovery Funds
Proposed Plan for Spending
August 9, 2021**

	Total	2021 Tranche 1	2022 Tranche 2
Fiscal Recovery Funds	5,800,000	2,900,000	2,900,000
Proposed Uses of Funds			
Premium Pay First Responders & Solid Waste Attendants--3/16/20 - 6/11/2021 (\$3/hour)	1,463,748	1,463,748	-
Revenue Replacement for the Provision of Government Services	7,073,868	1,086,252	2,550,000
Community Assistance/Investment for Affordable Housing	700,000	350,000	350,000

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

Second: Councilman Adkins

Vote: Unanimous

The motion passed. Council went into executive session.

Executive Session:

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

- (2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim - [Peninsula Tract; Brown vs Jasper County et al.](#)**

Return to regular session:

Motion to return to regular session: Councilman Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Business and motion coming from executive session:

Motion to authorize the County Administrator to attempt to settle Brown v Jasper County case with the authority discussed in executive session: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous
The motion passed.

Adjourn:

Motion to adjourn: Councilman Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous
The motion passed.

The meeting adjourned at 7:48pm.

Respectfully submitted:

Approved:

Wanda H. Simmons
Clerk to Council

Barbara B. Clark
Chairwoman

AGENDA ITEM:

VIII

Presentation Item A



2020 U.S. Apportionment Population	334,735,155	7% Increase
2010 U.S. Apportionment Population	312,471,327	

Note: Apportionment Population excludes Puerto Rico and the District of Columbia but does include U.S. residents living abroad.

Apportionment Population & Number of U.S House of Representatives

Selected States	2020 Apportionment Population	2020 Apportionment Representatives	Change from 2010
South Carolina	5,124,712	7	0
Georgia	10,725,274	14	0
North Carolina	10,453,948	14	1
Florida	21,570,527	28	1

Note: Apportionment Population = Resident Population + Overseas Population
Source: Table 1. Apportionment Population and Number of Representatives by State: 2020

WINNERS & LOSERS 2020

STATE	2020 SEATS GAINED
Texas	2
Colorado	1
Florida	1
Montana	1
North Carolina	1
Oregon	1
TOTAL	7

STATE	2020 SEATS LOST
California	1
Illinois	1
Michigan	1
New York	1
Ohio	1
Pennsylvania	1
West Virginia	1
TOTAL	7

Source: Table D1. Number of Seats Gained and Lost in U.S. House of Representatives by State 2020



Gained in U.S. House of Representatives 2010

STATE	2010 SEATS GAINED
Texas	4
South Carolina	1
Georgia	1
Florida	2

Source: Table D2 2010

**South Carolina & Georgia Total Resident Population
Decennial Census 2010 - 2020 Comparison**

	2020	2010	Change 2010 - 2020
Jasper County	28,791	24,771	16.20%
Beaufort County	187,117	162,233	15.34%
Colleton County	38,604	38,892	- 0.74%
Hampton County	18,561	21,090	- 11.99%
Chatham Co. (Georgia)	295,291	265,128	10.21%
Effingham Co. (Georgia)	64,769	52,250	19.32%
TOTAL	633,133	564,364	10.8%

Sources: U.S. Census QuickFacts
South Carolina Revenue & Fiscal Affairs Office

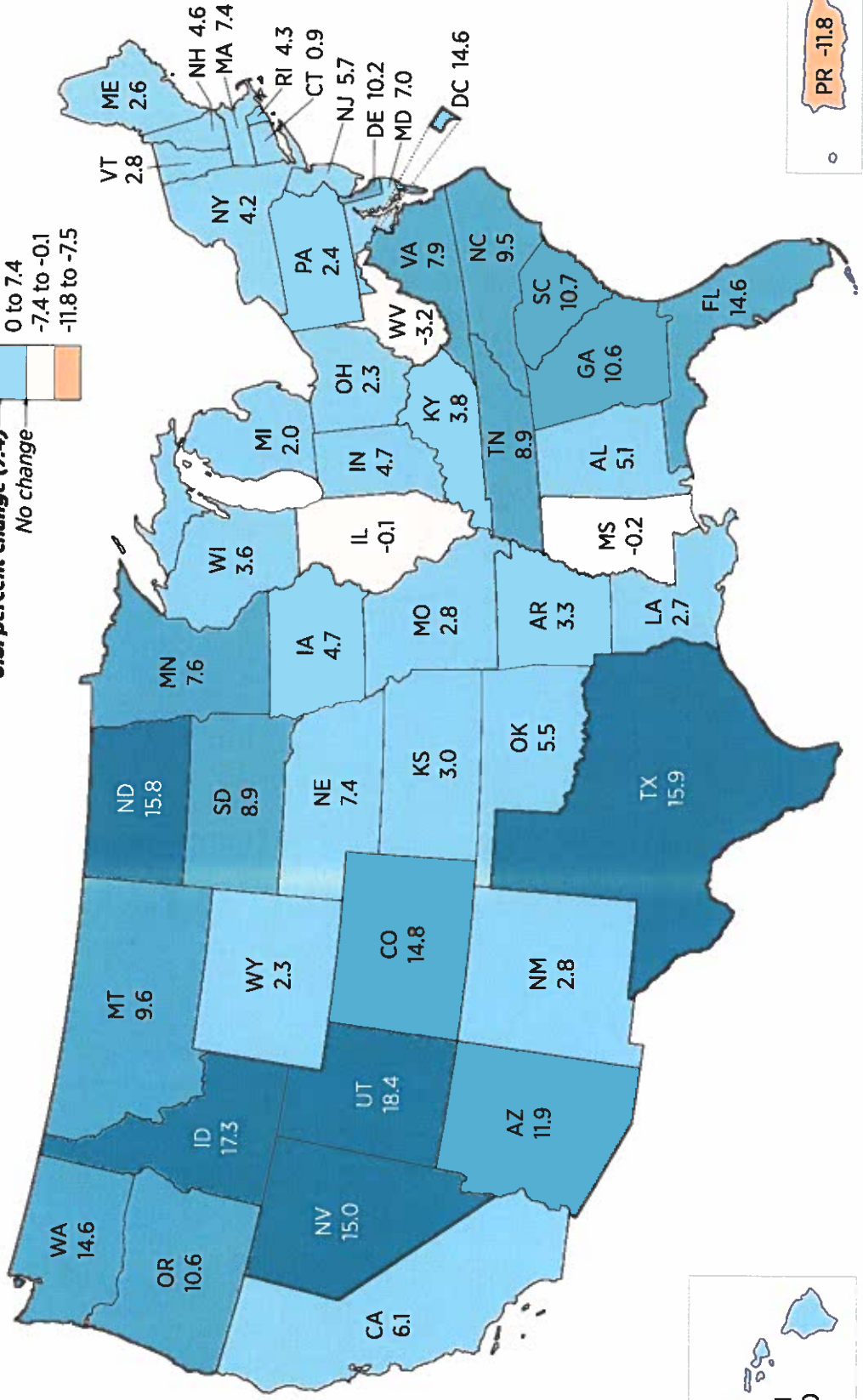
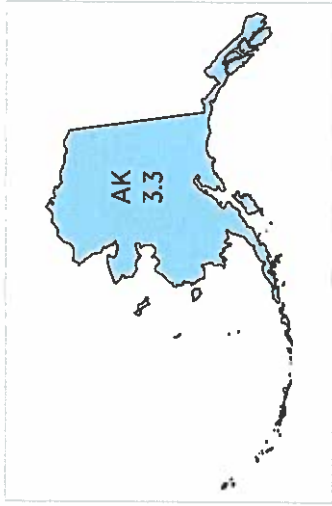
**South Carolina Municipality Population
Decennial Census 2010 - 2020 Comparison**

	2020	2010	Change 2010 - 2020
Beaufort	13,607	12,361	10.08%
Bluffton	27,716	12,530	121.20%
Hilton Head Island	37,661	37,099	1.51%
Port Royal	14,220	10,678	33.17%
Hardeeville	7,473	2,952	153.15%
Ridgeland	3,758	4,036	- 6.89%
Estill	1,821	2,040	- 10.74%
Hampton	2,694	2,808	- 4.06%
Varnville	1,669	2,162	- 22.80%
Walterboro	5,544	5,398	2.70%
TOTAL	116,163	92,064	20.7%

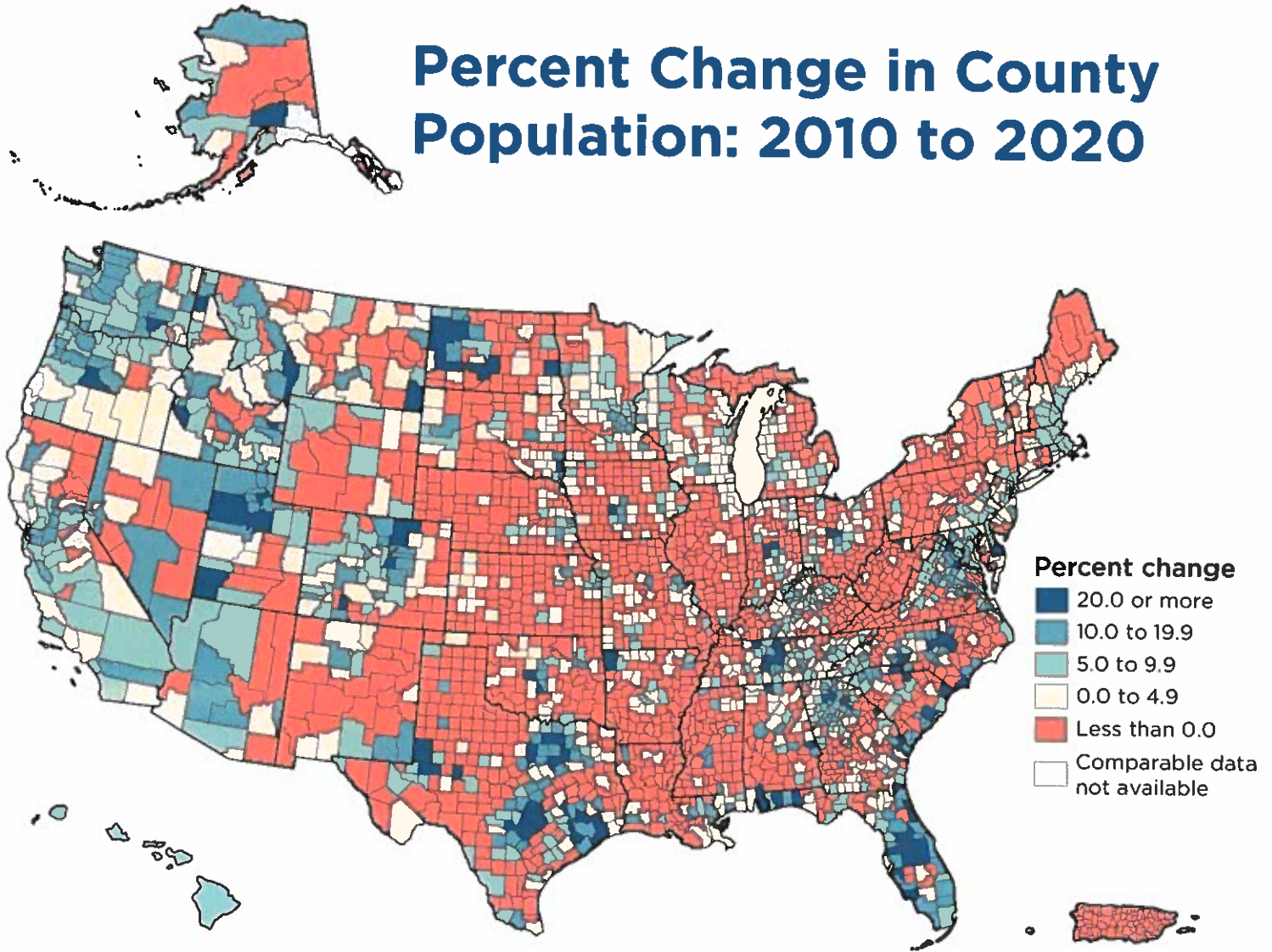
Conclusion

Source: 24th Decennial Census under Title 13 U.S. Code
U.S. Census Bureau, U.S. Department of Commerce

Percent Change in Resident Population for the 50 States, the District of Columbia, and Puerto Rico: 2010 to 2020



Percent Change in County Population: 2010 to 2020



Note: Bedford city, VA, was changed to town status and added to Bedford County, VA, effective July 1, 2013. For purposes of presenting data, Bedford County is treated as if Bedford city were included in it at the time of the 2010 census.

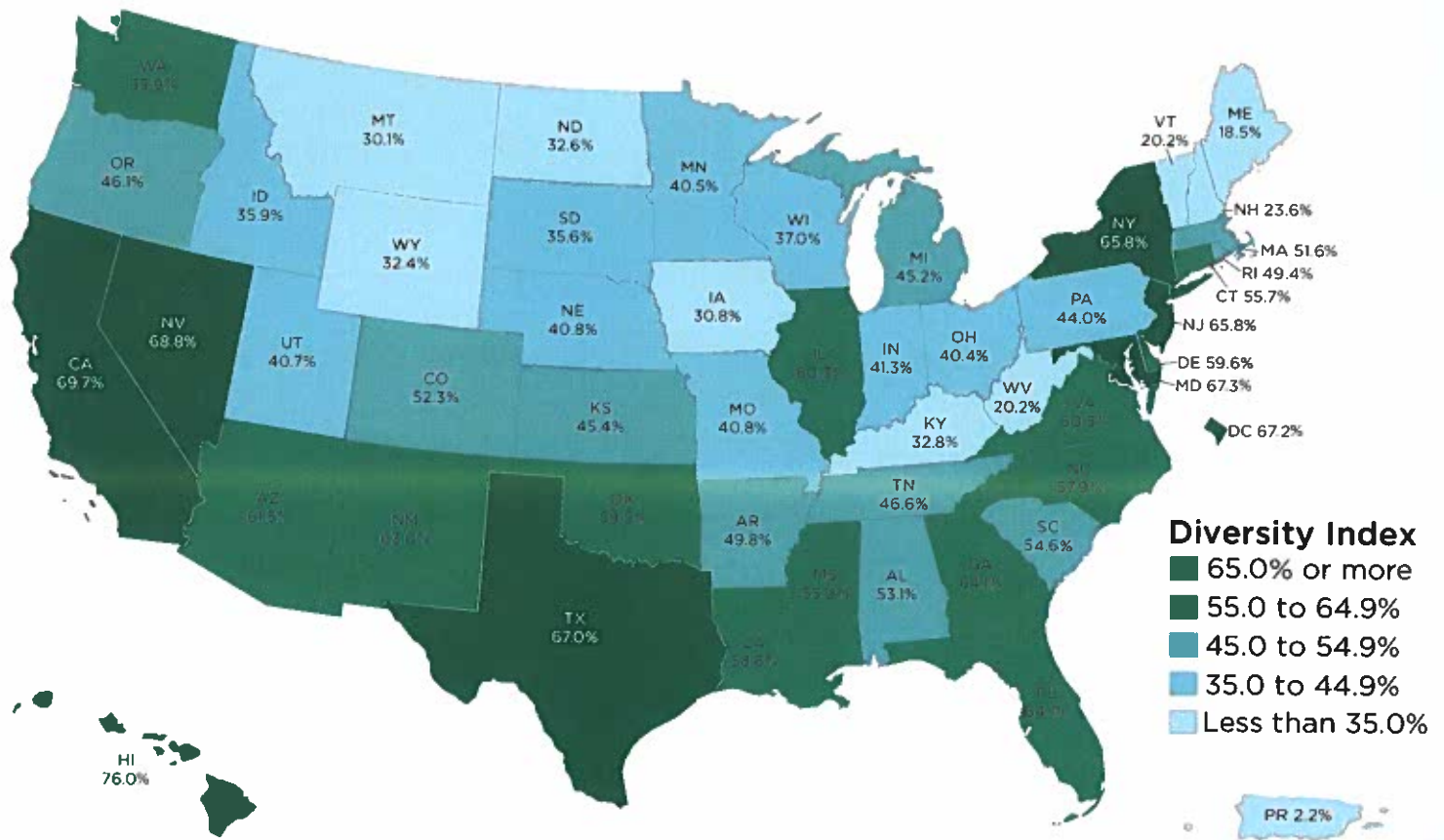
United States[®]
Census
Bureau

U.S. Department of Commerce
U.S. CENSUS BUREAU
[census.gov](https://www.census.gov)

Source: 2010 Census Redistricting Data (Public Law 94-171) Summary File; 2020 Census Redistricting Data (Public Law 94-171) Summary File

Racial and Ethnic Diversity Index by State: 2020

The Diversity Index tells us the chance that two people chosen at random will be from different racial and ethnic groups.



AGENDA ITEM:

X

Resolution: Item A

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

RESOLUTION # 2021-19

RESOLUTION OF JASPER COUNTY COUNCIL

To declare certain property to be surplus and
authorize its sale or disposition – Emergency
Services Division - Ambulance

WHEREAS, the Jasper County Emergency Services Director has advised the County Chief Procurement Officer that it has obtained a donee for a 2009 Chevrolet Type-I Ambulance with VIN# 1GBE4V1919F401625, which was provided to the Jasper County Emergency Services Division for its use by Jasper County, and titled in the ownership name of Jasper County; and

WHEREAS, the County Administrator and County Chief Procurement Officer have identified the property as no longer necessary or useful to the County for the accomplishment of its mission, and recommends that it be declared surplus and sold or otherwise disposed; and

WHEREAS, the Emergency Services Division requests the County declare the property surplus, and allow the Emergency Services Division to donate the vehicle to the Beaufort/Jasper Academy for Career Excellence school for the purposes of empowering educational opportunities for the Automotive Technology and Health Sciences students.

NOW THEREFORE, BE IT RESOLVED that the property identified above is declared surplus pursuant to the Jasper County Purchasing and Procurement Ordinance, Ordinance #05-04 (as codified in Chapter 2, Article V of the Jasper County Code of Ordinances, Sections 2-401 et seq.), and the Chief Procurement

Officer of the County is authorized and directed to coordinate with the Emergency Services Division Director in the donation of the property in accordance with that Ordinance upon the terms negotiated by the Emergency Services Division, and the County Administrator is authorized to execute a bill of sale or transfer of title documents as may be needed to accomplish the donation.

This Resolution # 2021-19 made this _____ day of September, 2021.

Barbara B. Clark, Chairwoman

ATTEST:

Wanda Simmons, Clerk to Council

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

AGENDA ITEM:

XI-A

Ordinance item A



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:	September 7, 2021
Project:	Zoning Map Amendment – Community Commercial
Applicant:	76 Sweet William Road
Tax Map Number:	063-38-01-013
Submitted For:	Public Hearing and 2 nd Reading
Recommendation:	Planning Commission recommends approval of Community Commercial

Description: The subject property consists of .55 acres and is located at 76 Sweet William Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Community Commercial (CC). The property is currently zoned Residential. The applicant would like to establish a restaurant at this location. The property was re-developed in February 2007 as a restaurant. The countywide re-zoning project made this property non-conforming in November 2007. While the property has previously been used as a restaurant, the use has ceased for more than 12 months, losing its legal non-conforming status.

Analysis: The Zoning Map Amendment application and request is 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,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by the municipality. For these areas that experience new development or redevelopment, consideration should be given to working with the adjacent municipality for annexation.
- **Adjacent Zoning:** The adjacent parcels are zoned Residential with the Town limits of Ridgeland nearby.
- **Adjacent Land Use:** Adjacent land uses are residential and commercial.

- **Traffic and Access:** The subject property is accessed by Sweet William Road, which is a two-lane state-maintained highway, classified as a limited local road.

Planning Commission Recommendation: From a land use perspective, the Planning Commission recommends approval of the request to have the property designated as Community Commercial.

Attachments:

1. Application by the applicant
2. Ordinance
3. Aerial map of property and surrounding area
4. Aerial map with zoning layer



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

Zoning Map Amendment Application

Owner or Owner-Authorized Applicant:	Fidel Aranza
Address:	76 Sweet William Rd Ridgeland, SC 29936
Telephone/Fax:	843-384-5681
Email:	fidelaranza@hotmail.com
Property Address or Physical Location:	76 Sweet William Rd. Ridgeland, SC 29936
Tax Map Number(s):	063-38-01-013
Gross Acreage:	0.55
Current Zoning:	Residential
Proposed Zoning:	Community Commercial - Restaurant
Administrative Fee: (\$250 per lot)	\$250 check is attached
Date Mailed or Hand Delivered:	Fidel Aranza <small>06/02/2021 12:37 AM GMT</small>
Reason for Request: (attach narrative if necessary)	Want to re-zone for a Restaurant

owner signed on top line

Signature of Owner or Owner-Authorized Applicant Date
(Proof of owner-authorization required)

Internal Use Only	
Date Received:	June 08, 2021
Amount Received:	\$250.00
Staff Member:	Lisa Wagner

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE: 2021-25

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 063-38-01-013 from the Residential Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

WHEREAS, the owner of the parcel consisting of approximately .55 acres bearing Jasper County Tax Map Number 063-38-01-013 located at 76 Sweet William 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 owner submitted that request 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, approximately .55 acres bearing Jasper County Tax Map

Number 063-38-01-013, located at 76 Sweet William Road, depicted on the Jasper County Official Zoning Map in the Residential Zone shall be transferred to the Community Commercial Zone.

2. This ordinance shall take effect upon approval by Council.

Ms. Barbara B. Clark
Chairwoman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE: # 2021-25

First Reading: August 16, 2021

Second Reading: September 7, 2021

Public Hearing: September 7, 2021

Adopted: _____

Considered by the Jasper County Planning Commission at it's meeting on
July 13, 2021 and recommended for approval.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date



SWEET WILLIAM RD

REES CREEK RD

OLD HILLS

2977

2955

2940

2906

3022

3020

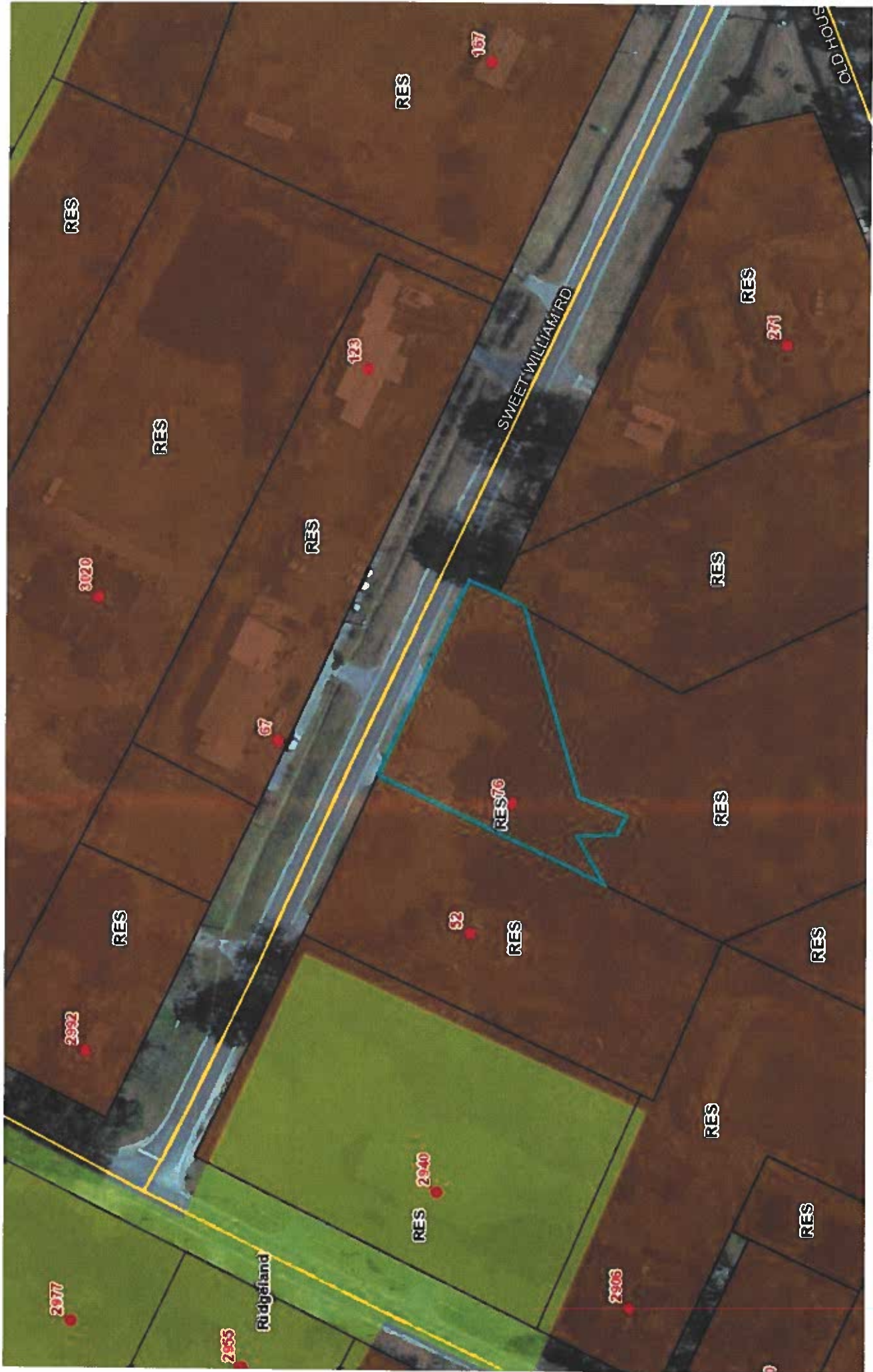
123

197

371

76

57



AGENDA ITEM:

XI-B

Ordinance item B

STATE OF SOUTH CAROLINA
COUNTY OF JASPER

ORDINANCE NO: 2021-24

AN ORDINANCE
OF JASPER COUNTY COUNCIL

To amend the Jasper County, South Carolina
Organizational Chart.

WHEREAS, by Ordinance No. 09-25 adopted October 5, 2009, the Jasper County Council did adopt an Official Organizational Chart for the County; and

WHEREAS, due to the passage of time, changes in departmental responsibilities, and a comprehensive examination and re-defining of certain of job descriptions and reporting responsibilities, it has become desirable to make certain amendments to the organization of the County administration; and

WHEREAS, the Administration recommends the attached Jasper County, South Carolina Organizational Chart to be the official organizational chart for the County;

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

1. The Jasper County, South Carolina Organizational Chart dated _____, 2021, a copy of which is attached hereto, is hereby adopted as the official Organizational Chart for Jasper County Government, and all previous versions of the Organizational Chart are hereby repealed.
2. This ordinance shall take effect upon approval by Council.

Barbara B. Clark, Chairwoman

ATTEST:

Wanda Simmons, Clerk to Council

Ordinance #: 2021-24

First Reading: 07.19.2021

Second Reading: 08.16.2021

Public Hearing: 09.07.2021

Adopted: 09.07.2021

The following document is required to be attached prior to 3rd Reading:

Jasper County, South Carolina Organizational Chart dated _____, 2021.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

County Administrator

Administrative Assistant

Administrative Services

Assessor

Finance

Register of Deeds

Tax Collector

Business License

Development Services

Planning & Zoning

Parks & Recreation

Development

Airport

Airport Maintenance Technician

Information Technology

Detention

Engineering Services

Building Maintenance

Central Garage

Lottery Control

Nonresidential

Roads and Bridges

Solid Waste

Emergency Services

Administration & Emergency Management

Fire/Rescue

Dispatcher/911 Communications

Code Enforcement

Code Enforcement Officer

AGENDA ITEM:

XI-C

Ordinance item C

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2021-___

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

An ordinance to amend Chapter 8, Businesses, to adopt a new business licensing ordinance incorporating, as made applicable to counties and specifically Jasper County, the provisions of the 2022 Model Business License Ordinance in accordance with Act 176, the SC Business License Tax Standardization Act, including its classification system, and establishing rates for such classification, and matters related thereto.

WHEREAS, The South Carolina Legislature passed Act 179, the SC Business License Tax Standardization Act (“Act 179”), which was signed into law in September of 2020, and requires every local government with a business license tax to administer the tax in the same way across the State beginning in January of 2022; and

WHEREAS, the Act seeks to prevent local governments from receiving a windfall in the first year of implementation as a result of the required changes; and

WHEREAS, Jasper County Administration has created the attached 2022 Business License Ordinance in compliance with Act 179, incorporating the required North American Industrial Classification Code, assigned the correct, state mandated rate class using the 2021 Class Schedule, and performed a rebalancing of the rates to avoid a windfall in the first year of implementation; and

WHEREAS, County Council, upon review and recommendation of its administrative staff has determined that the 2022 Business license Ordinance, as attached, should be adopted in compliance with Act 179;

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

Section 1. The Jasper County Code of Ordinances, Chapter 8, Article II, LICENSES, is amended by:

- a) deleting the current Article II in its entirety (being Sections 8-31 through 8-49) and inserting new Sections 8-31 through 8-51 as set forth in the attached Exhibit "A";
- b) Reserving current Sections 8-52 through 8-100;
- c) Adopting the Appendices A and B attached to this Ordinance, incorporating such by reference in Section 8-51 of the Ordinance;

Section 2. Severability.

If any section, clause, paragraph, sentence or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such invalid section, clause, paragraph, sentence or phrase is hereby declared to be severable; and any such invalid or unconstitutional section, clause, paragraph, sentence or phrase 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.

Section 3. This Ordinance shall take effect upon approval by Council.

**Barbara B. Clark,
Chairwoman**

ATTEST:

**Wanda Simmons
Clerk to Council**

ORDINANCE: 2019-__

First Reading: September 7, 2021

Second Reading: _____

Public Hearing: _____

Adopted: _____

Reviewed for form and draftsmanship by the Jasper County Attorney.

David Tedder

Date

2022 MODEL BUSINESS LICENSE ORDINANCE

Section 8-31. License Required. Every person engaged or intending to engage in any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, in whole or in part within the unincorporated areas of Jasper County, South Carolina (hereinafter "County" in the context of applying this Business License Ordinance) is required to pay an annual license tax for the privilege of doing business and obtain a business license as herein provided.

Section 8-32. Definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meaning ascribed herein. Defined terms are not capitalized when used in this ordinance unless the context otherwise requires.

"Business" means any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, either directly or indirectly.

"Charitable Organization" means an organization that is determined by the Internal Revenue Service to be exempt from Federal income taxes under 26 U.S.C. Section 501(c)(3), (4), (6), (7), (8), (10) or (19).

"Charitable Purpose" means a benevolent, philanthropic, patriotic, or eleemosynary purpose that does not result in personal gain to a sponsor, organizer, officer, director, trustee, or person with ultimate control of the organization.

"Classification" means that division of businesses by NAICS codes subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by the Council.

"Council" means the County Council of Jasper County.

"County" means Jasper County, South Carolina.

"Domicile" means a principal place from which the trade or business of a licensee is conducted, directed, or managed. For purposes of this ordinance, a licensee may be deemed to have more than one domicile.

"Gross Income" means the gross receipts or gross revenue of a business, received or accrued, for one calendar or fiscal year collected or to be collected from business done within the County. If the licensee has a domicile within the County, business done within the County shall include all gross receipts or revenue received or accrued by such licensee. If the licensee does not have a domicile within the County, business done within the County shall include only gross receipts or revenue received or accrued within the County. In all cases, if the licensee pays a business license tax to another county or County, then the licensee's gross income for the purpose of computing the tax within the County must be reduced by the amount of revenues or receipts taxed in the other county or County and fully reported to the County. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds that are the property of a third party. The value of bartered goods or trade-in merchandise shall be

included in gross income. The gross receipts or gross revenues for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Department of Insurance, or other government agencies. In calculating gross income for certain businesses, the following rules shall apply:

- A. Gross income for agents shall be calculated on gross commissions received or retained, unless otherwise specified. If commissions are divided with other brokers or agents, then only the amount retained by the broker or agent is considered gross income.
- B. Except as specifically required by S.C. Code § 38-7-20, gross income for insurance companies shall be calculated on gross premiums written.
- C. Gross income for manufacturers of goods or materials with a location in the County shall be calculated on the lesser of (i) gross revenues or receipts received or accrued from business done at the location, (ii) the amount of income allocated and apportioned to that location by the business for purposes of the business's state income tax return, or (iii) the amount of expenses attributable to the location as a cost center of the business. Licensees reporting gross income under this provision shall have the burden to establish the amount and method of calculation by satisfactory records and proof. Manufacturers include those taxpayers reporting a manufacturing principal business activity code on their federal income tax returns.

"License Official" means a person designated to administer this ordinance. Notwithstanding the designation of a primary license official, the County may designate one or more alternate license officials to administer particular types of business licenses, including without limitation for business licenses issued to businesses subject to business license taxes under Article 20, Chapter 9, Title 58, and Chapters 7 and 45, Title 38, of the South Carolina Code.

"Licensee" means the business, the person applying for the license on behalf of the business, an agent or legal representative of the business, a person who receives any part of the net profit of the business, or a person who owns or exercises control of the business.

"NAICS" means the North American Industry Classification System for the United States published under the auspices of the Federal Office of Management and Budget.

"Person" means any individual, firm, partnership, limited liability partnership, limited liability company, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principal.

Section 8-33. Purpose and Duration. The business license required by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. The license year ending on April 30, 2022, shall commence on August 1, 2021 and shall run for a nine (9) month period. Thereafter, the license periods shall be established as follows. Except as set forth below for business licenses issued to contractors with respect to specific construction projects, each yearly license shall be issued for the twelve-month period of May 1 to April 30. A business license

issued for a construction contract may, at the request of the licensee, be stated to expire at the completion of the construction project; *provided*, any such business license may require that the licensee file, by each April 30 during the continuation of the construction project, a statement of compliance, including but not limited to a revised estimate of the value of the contract. If any revised estimate of the final value of such project exceeds the amount for which the business license was issued, the licensee shall be required to pay a license fee at the then-prevailing rate on the excess amount. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by the Council.

Section 8-34. Business License Tax, Refund.

- A. The required business license tax shall be paid for each business subject hereto according to the applicable rate classification on or before the due date of the 30th day of April in each year, except for those businesses in Rate Class 8 for which a different due date is specified. Late payments shall be subject to penalties as set forth in Section 12 hereof, except that admitted insurance companies may pay before June 1 without penalty.
- B. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the business license tax shall be computed on the combined gross income for the classification requiring the highest rate. The business license tax must be computed based on the licensee's gross income for the calendar year preceding the due date, for the licensee's twelve-month fiscal year preceding the due date, or on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The business license tax for a new business must be computed on the estimated probable gross income for the balance of the license year. A business license related to construction contract projects may be issued on a per-project basis, at the option of the taxpayer. No refund shall be made for a business that is discontinued.
- C. A licensee that submits a payment greater than the amount owed may request a refund. To be considered, a refund request must be submitted in writing to the County before the June 1 immediately following the April 30 on which the payment was due and must be supported by adequate documentation supporting the refund request. The County shall approve or deny the refund request, and if approved shall issue the refund to the business, within thirty days after receipt of the request.

Section 8-35. Registration Required.

- A. The owner, agent, or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the County. A license for a bar (NAICS 722410) must be issued in the name of the individual who has been issued the corresponding state alcohol, beer, or wine permit or license and will have actual control and management of the business.

- B. Application shall be on the then-current standard business license application as established and provided by the Director of the South Carolina Revenue and Fiscal Affairs Office and shall be accompanied by all information about the applicant, the licensee, and the business deemed appropriate to carry out the purpose of this ordinance by the license official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross receipts and gross revenue figures.
- C. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported (or estimated for a new business) without any unauthorized deductions, and that all assessments, personal property taxes on business property, and other monies due and payable to the County have been paid.
- D. The County shall allow application, reporting, calculation, and payment of business license taxes through the business license tax portal hosted and managed by the South Carolina Revenue and Fiscal Affairs Office, subject to the availability and capability thereof. Any limitations in portal availability or capability do not relieve the applicant or licensee from existing business license or business license tax obligations.

Section 8-36. Deductions, Exemptions, and Charitable Organizations.

- A. No deductions from gross income shall be made except income earned outside of the County on which a license tax is paid by the business to some other County or municipality and fully reported to the County, taxes collected for a governmental entity, or income which cannot be included for computation of the tax pursuant to state or federal law. Properly apportioned income from business in interstate commerce shall be included in the calculation of gross income and is not exempted. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof.
- B. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the County, unless exempted by state or federal law. The license official shall determine the appropriate classification for each business in accordance with the latest issue of NAICS. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by state law, and no person shall be relieved of liability for payment of any other tax or fee by reason of application of this ordinance.
- C. Wholesalers are exempt from business license taxes unless they maintain warehouses or distribution establishments within the County. A wholesale transaction involves a sale to an individual who will resell the goods and includes delivery of the goods to the reseller. It does not include a sale of goods to a user or consumer.
- D. A charitable organization shall be exempt from the business license tax on its gross income unless it is deemed a business subject to a business license tax on all or part of its gross income as provided in this section. A charitable organization, or any affiliate of a charitable organization, that reports income from for-profit activities or unrelated business income for federal income tax purposes to the Internal Revenue Service shall be deemed a business subject to a business license tax on the part of its gross income from such for-profit activities or unrelated business income.

- E. A charitable organization shall be deemed a business subject to a business license tax on its total gross income if (1) any net proceeds of operation, after necessary expenses of operation, inure to the benefit of any individual or any entity that is not itself a charitable organization as defined in this ordinance, or (2) any net proceeds of operation, after necessary expenses of operation, are used for a purpose other than a charitable purpose as defined in this ordinance. Excess benefits or compensation in any form beyond fair market value to a sponsor, organizer, officer, director, trustee, or person with ultimate control of the organization shall not be deemed a necessary expense of operation.

Section 8-37. False Application Unlawful. It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license or to give or file, or direct the giving or filing of, any false information with respect to the license or tax required by this ordinance.

Section 8.38. Display and Transfer.

- A. All persons shall display the license issued to them on the original form provided by the license official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the County.
- B. A change of address must be reported to the license official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the license official and compliance with zoning and building codes. Failure to obtain the approval of the license official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable, and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

Section 8-39. Administration of Ordinance. The license official shall administer the provisions of this ordinance, collect business license taxes, issue licenses, make or initiate investigations and audits to ensure compliance, initiate denial or suspension and revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, undertake reasonable procedures relating to the administration of this ordinance, and perform such other duties as may be duly assigned. Nothing herein shall be deemed to prohibit the County from entering into such contractual arrangements, as may be allowed by law, with outside entities for any or all of the administrative functions of the license official, who, in such instances, will supervise the activities of the contracting entity(ies).

Section 8-40. Inspection and Audits.

- A. For the purpose of enforcing the provisions of this ordinance, the license official or other authorized agent of the County is empowered to enter upon the premises of any person subject to this ordinance to make inspections and to examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. In the event an audit or inspection reveals that the licensee has filed false information, the costs of the audit shall be added to the correct business license tax and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper amount of business license tax shall constitute a separate offense.
- B. The license official shall have the authority to make inspections and conduct audits of businesses to ensure compliance with the ordinance. Financial information obtained by inspections and audits shall not be deemed public records, and the license official shall not release the amount of business license taxes paid or the reported gross income of any person by name without written permission of the licensee, except as authorized by this ordinance, state or federal law, or proper judicial order. Statistics compiled by classifications are public records.

Section 18-41. Assessments, Payment under Protest, Appeal.

- A. Assessments, payments under protest, and appeals of assessment shall be allowed and conducted by the County pursuant to the provisions of S.C. Code § 6-1-410, as amended. In preparing an assessment, the license official may examine such records of the business or any other available records as may be appropriate and conduct such investigations and statistical surveys as the license official may deem appropriate to assess a business license tax and penalties as provided herein.
- B. The license official shall establish a uniform local procedure consistent with S.C. Code § 6-1-410 for hearing an application for adjustment of assessment and issuing a notice of final assessment; provided that for particular types of business licenses, including without limitation for business licenses issued to businesses subject to business license taxes under Article 20, Chapter 9, Title 58, and Chapters 7 and 45, Title 38, of the South Carolina Code, the County, by separate ordinance, may establish a different procedure and may delegate one or more rights, duties, and functions hereunder to the Municipal Association of South Carolina.

Section 8-42. Delinquent License Taxes, Partial Payment.

- A. For non-payment of all or any part of the correct business license tax, the license official shall impose and collect a late penalty of five (5%) percent of the unpaid tax for each month or portion thereof after the due date until paid. Penalties shall not be waived. If any business license tax remains unpaid for sixty (60) days after its due date, the license official shall report it to the municipal attorney for appropriate legal action.
- B. Partial payment may be accepted by the license official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

Section 8-43. Notices. The license official may, but shall not be required to, mail written notices that business license taxes are due. If notices are not mailed, there shall be published a notice of the due date in a newspaper of general circulation within the County three (3) times prior to the due date in each year. Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax due or grounds for waiver of penalties.

Section 8-44. Denial of License. The license official may deny a license to an applicant when the license official determines:

- A. The application is incomplete or contains a misrepresentation, false or misleading statement, or evasion or suppression of a material fact;
- B. The activity for which a license is sought is unlawful or constitutes a public nuisance *per se* or *per accidens*;
- C. The applicant, licensee, prior licensee, or the person in control of the business has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;
- D. The applicant, licensee, prior licensee, or the person in control of the business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the County or in another jurisdiction;
- E. The applicant, licensee, prior licensee, or the person in control of the business is delinquent in the payment to the County of any tax or fee;
- F. A licensee has actual knowledge or notice, or based on the circumstances reasonably should have knowledge or notice, that any person or employee of the licensee has committed a crime of moral turpitude on the business premises, or has permitted any person or employee of the licensee to engage in the unlawful sale of merchandise or prohibited goods on the business premises and has not taken remedial measures necessary to correct such activity; or
- G. The license for the business or for a similar business of the licensee in the County or another jurisdiction has been denied, suspended, or revoked in the previous license year.

A decision of the license official shall be subject to appeal as herein provided. Denial shall be written with reasons stated.

Section 8.45. Suspension or Revocation of License. When the license official determines:

- A. A license has been mistakenly or improperly issued or issued contrary to law;
- B. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance;
- C. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the license application;
- D. A licensee has been convicted within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude

related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;

E. A licensee has engaged in an unlawful activity or nuisance related to the business; or

F. A licensee is delinquent in the payment to the County of any tax or fee,

the license official may give written notice to the licensee or the person in control of the business within the County by personal service or mail that the license is suspended pending a single hearing before Council or its designee for the purpose of determining whether the suspension should be upheld and the license should be revoked.

The written notice of suspension and proposed revocation shall state the time and place at which the hearing is to be held, and shall contain a brief statement of the reasons for the suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

Section 8-46. Appeals to Council or its Designee.

- A. Except with respect to appeals of assessments under Section 11 hereof, which are governed by S.C. Code § 6-1-410, any person aggrieved by a determination, denial, or suspension and proposed revocation of a business license by the license official may appeal the decision to the Council or its designee by written request stating the reasons for appeal, filed with the license official within ten (10) days after service by mail or personal service of the notice of determination, denial, or suspension and proposed revocation.
- B. A hearing on an appeal from a license denial or other determination of the license official and a hearing on a suspension and proposed revocation shall be held by the Council or its designee within ten (10) business days after receipt of a request for appeal or service of a notice of suspension and proposed revocation. The hearing shall be held upon written notice at a regular or special meeting of the Council, or, if by designee of the Council, at a hearing to be scheduled by the designee. The hearing may be continued to another date by agreement of all parties. At the hearing, all parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council or its designee shall govern the hearing. Following the hearing, the Council by majority vote of its members present, or the designee of Council if the hearing is held by the designee, shall render a written decision based on findings of fact and conclusions on application of the standards herein. The written decision shall be served, by personal service or by mail, upon all parties or their representatives and shall constitute the final decision of the County.
- C. Timely appeal of a decision of Council or its designee does not effectuate a stay of that decision. The decision of the Council or its designee shall be binding and enforceable unless overturned by an applicable appellate court after a due and timely appeal.

- D. For business licenses issued to businesses subject to business license taxes under Article 20, Chapter 9, Title 58, and Chapters 7 and 45, Title 38, of the South Carolina Code, the County may establish a different procedure by ordinance.

Section 8-47. Consent, franchise, or license required for use of streets.

- A. It shall be unlawful for any person to construct, install, maintain, or operate in, on, above, or under any street or public place under control of the County any line, pipe, cable, pole, structure, or facility for utilities, communications, cablevision, or other purposes without a consent agreement or franchise agreement issued by the Council by ordinance that prescribes the term, fees, and conditions for use.
- B. The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by state law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license taxes unless specifically provided by the franchise or consent agreement.

Section 8-48. Confidentiality. Except in accordance with proper judicial order or as otherwise provided by law, no official or employee of the County may divulge or make known in any manner the amount of income or any financial particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of this ordinance.

Section 8-49. Violations. Any person violating any provision of this ordinance shall be deemed guilty of an offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this ordinance.

Section 8-50. Severability. A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions. To the extent of any conflict between the provisions of this ordinance and the provisions of the South Carolina Business License Tax Standardization Act, as codified at S.C. Code §§ 6-1-400 *et seq.*, the standardization act shall control.

Section 8-51. Classification and Rates.

- A. The business license tax for each class of businesses subject to this ordinance shall be computed in accordance with the current business license rate schedule, designated as Appendix A to this ordinance, which may be amended from time to time by the Council.
- B. The current business license class schedule is attached hereto as Appendix B. Hereafter, no later than December 31 of each odd year, the County shall adopt, by ordinance, the latest standardized business license class schedule as recommended by the Municipal Association of South Carolina and adopted by the Director of the South Carolina Revenue

and Fiscal Affairs Office. Upon adoption by the County, the revised business license class schedule shall then be appended to this ordinance as a replacement Appendix B.

- C. The classifications included in each rate class are listed with NAICS codes, by sector, sub-sector, group, or industry. The business license class schedule (Appendix B) is a tool for classification and not a limitation on businesses subject to a business license tax. The classification in the most recent version of the business license class schedule adopted by the Council that most specifically identifies the subject business shall be applied to the business. The license official shall have the authority to make the determination of the classification most specifically applicable to a subject business.
- D. A copy of the class schedule and rate schedule shall be filed in the office of the County Clerk to Council.

DRAFT

APPENDIX A: BUSINESS LICENSE RATE SCHEDULE

RATE CLASS	INCOME: \$0 - \$2,000	INCOME OVER \$2,000
	BASE RATE	RATE PER \$1,000 OR FRACTION THEREOF
1	\$20.00	\$0.55
2	\$25.00	\$0.65
3	\$30.00	\$0.75
4	\$35.00	\$0.85
5	\$40.00	\$0.95
6	\$45.00	\$1.05
7	\$50.00	\$1.15
8.1	\$50.00	\$0.55
8.2	Set by state statute	
8.3	MASC Telecommunications	
8.4	MASC Insurance	
8.51	\$12.50 + \$12.50 per machine	
8.52	\$12.50 + \$180.00 per machine	
8.6	\$50.00	\$0.55
	plus \$5.00 -OR- \$12.50 per table based on size	
9.1	\$50.00	\$0.55
9.2	\$50.00	\$0.55
9.3	\$50.00	\$0.55
9.41	\$50.00	\$0.55
9.42	\$50.00	\$0.55
9.5	\$50.00	\$0.55
9.6	\$50.00	\$0.55
9.7	\$50.00	\$0.55
9.8	\$50.00	\$0.55

[Add optional subclasses, if any, that the County selects from the Business License Standardization Class Nine Supplement available from the Municipal Association.]

NON-RESIDENT RATES

Unless otherwise specifically provided, all taxes and rates shall be doubled for nonresidents and itinerants having no fixed principal place of business within the County.

DRAFT

DECLINING RATES

Declining Rates apply in all Classes for gross income in excess of \$1,000,000, unless otherwise specifically provided for in this ordinance.

<u>Gross Income in \$ Millions</u>	<u>Percent of Class Rate for each additional \$1,000</u>
0 - 7	100%
7 - 10	50% for this increment
10 – 20	35% for this increment
20 – 50	15% for this increment
OVER 50	10% for this increment

DRAFT

CLASS 8 and CLASS 9 RATES

Each NAICS number designates a separate subclassification. The businesses in this section are treated as separate and individual subclasses due to provisions of state law, regulatory requirements, service burdens, tax equalization considerations, and other factors that are deemed sufficient to require individually determined rates. In accordance with state law, the County also may provide for reasonable subclassifications for rates, described by an NAICS sector, subsector, or industry, that are based on particularized considerations as needed for economic stimulus or for the enhanced or disproportionate demands on municipal services or infrastructure.

Non-resident rates do not apply except where indicated.

8.1 NAICS 230000 – Contractors, Construction, All Types [Non-resident rates apply].

Resident rates, for contractors having a permanent place of business within the County:

Minimum on first \$2,000 \$ _____ PLUS
Each additional 1,000.....\$ _____

Non-resident rates apply to contractors that do not have a permanent place of business within the County. A trailer at the construction site or structure in which the contractor temporarily resides is not a permanent place of business under this ordinance.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job. No deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Official a list of sub-contractors furnishing labor or materials for each project.

For licenses issued on a per-job basis, the total tax for the full amount of the contract shall be paid prior to commencement of work and shall entitle the contractor to complete the job without regard to the normal license expiration date. An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base tax shall be paid in a license year. Licensees holding a per-job license shall file, by each April 30 during the continuation of the construction project, a statement of compliance, including but not limited to a revised estimate of the value

of the contract. If any revised estimate of the final value of such project exceeds the amount for which the business license was issued, the licensee shall be required to pay a license fee at the then-prevailing rate on the excess amount.

8.2 NAICS 482 – Railroad Companies (See S.C. Code § 12-23-210).

8.3 NAICS 517311, 517312 – Telephone Companies.

With respect to “retail telecommunications services” as defined in S. C. Code § 58-9-2200, the County participates in a collections program administered by the Municipal Association of South Carolina. The County has approved participation in the collections program by separate ordinance (the “Telecommunications Collections Ordinance”). The rates, terms, conditions, dates, penalties, appeals process, and other details of the business license applicable to retail telecommunications services are set forth in the Telecommunications Collections Ordinance.

8.4 [Class 8.7 in the Prior Model Ordinance] NAICS 5241 – Insurance Companies:

See SC Code § 4-9-30(12) – None

8.51 [Class 8.8 in the Prior Ordinance] NAICS 713120 – Amusement Machines, coin operated (except gambling). Music machines, juke boxes, kiddie rides, video games, pin tables with levers, and other amusement machines with or without free play feature licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(1) and (A)(2) [Type I and Type II].

For operation of all machines (not on gross income), pursuant to S.C. Code §12-21-2746:

Per Machine	\$12.50 PLUS
Business license.....	\$12.50

Distributors that sell or lease machines and are not licensed by the state as an operator pursuant to §12-21-2728 are not subject to Subclass 8.51.

8.52 [Class 8.8C in the Prior Ordinance] NAICS 713290 – Amusement Machines, coin operated, non-payout. Amusement machines of the non-payout type or in-line pin game licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(3) [Type III].

For operation of all machines (not on gross income), pursuant to S.C. Code §12-21-2720(C):

Per Machine	\$180.00 PLUS
Business license.....	\$12.50

Distributors that sell or lease machines and are not licensed by the state as an operator pursuant to §12-21-2728 are not subject to Subclass 8.52.

8.6 [Class 8.9D in the Prior Model Ordinance] NAICS 713990 – Billiard or Pool Rooms, all types. (A) Pursuant to SC Code § 12-21-2746, license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that; PLUS, (B) with respect to

gross income from the entire business in addition to the tax authorized by state law for each table:

Minimum on first \$2,000 \$50.00 PLUS
Per \$1,000, or fraction, over \$2,000..... \$0.75

[DRAFTING NOTE: Local Governments may create additional subclasses as permitted under Section 6-1-400(G)(2) of the Standardization Act based on "particularized considerations as needed for economic stimulus or the enhanced or disproportionate demands by specific business subclassifications on taxing jurisdiction services or infrastructure."]

9.1 [Class 8.4A in the Prior Ordinance] NAICS 423930 – Junk or Scrap Dealers [Non-resident rates apply].

Minimum on first \$2,000 \$50.00 PLUS
Per \$1,000, or fraction, over \$2,000..... \$0.75

9.2 [Class 8.4B in the Prior Model Ordinance] NAICS 522298 – Pawn Brokers [All Types].

Minimum on first \$2,000 \$50.00 PLUS
Per \$1,000, or fraction, over \$2,000..... \$0.75

9.3 [Class 8.52 in the Prior Model Ordinance] NAICS 4411, 4412 – Automotive, Motor Vehicles, Boats, Farm Machinery or Retail.

(except auto supply stores - see 4413)

Minimum on first \$2,000 \$50.00 PLUS
Per \$1,000, or fraction, over \$2,000..... \$0.75

One sales lot not more than 400 feet from the main showroom may be operated under this license provided that proceeds from sales at the lot are included in gross receipts at the main office when both are operated under the same name and ownership.

Gross receipts for this classification shall include value of trade-ins. Dealer transfers or internal repairs on resale items shall not be included in gross income.

NAICS 454390 – Peddlers, Solicitors, Canvassers, Door-To-Door Sales.

Direct retail sales of merchandise. [Non-resident rates apply]

9.41 [Class 8.6 in the Prior Ordinance] Regular activities [more than two sale periods of more than three days each per year]

Minimum on first \$2,000 \$100.00 PLUS

Per \$1,000, or fraction, over \$2,000..... \$1.00

9.42 [Class 8.6A in the Prior Ordinance] Seasonal activities [not more than two sale periods of not more than three days each year, separate license required for each sale period]

Minimum on first \$2,000 \$100.00 PLUS

Per \$1,000, or fraction, over \$2,000..... \$1.00

Applicants for a license to sell on private property must provide written authorization from the property owner to use the intended location.

9.5 [Class 8.9A in the Prior Ordinance] NAICS 713290 – Bingo halls, parlors.

Minimum on first \$2,000 \$50.00 PLUS

Per \$1,000, or fraction, over \$2,000..... \$0.75

9.6 [Class 8.9B in the Prior Ordinance] NAICS 711190 – Carnivals and Circuses.

Minimum on first \$2,000 \$50.00 PLUS

Per \$1,000, or fraction, over \$2,000..... \$0.75

9.7 [Class 8.9C in the Prior Ordinance] NAICS 722410 – Drinking Places, bars, lounges, cabarets (Alcoholic beverages consumed on premises).

Minimum on first \$2,000 \$200.00 PLUS

Per \$1,000, or fraction, over \$2,000..... \$2.00

License must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

9.8 [Class 8.9D in the Prior Ordinance] NAICS 7115 – Adult Exotic Dancers, other Sexually Oriented Businesses.

Minimum on first \$2,000 \$500.00 PLUS

Per \$1,000, or fraction, over \$2,000..... \$2.00

Business License Class Schedule by NAICS Code

Appendix B

2021 BUSINESS LICENSE CLASS SCHEDULE BY NAICS CODE

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	2.00
21	Mining	4.00
31	Manufacturing	2.00
32	Manufacturing	2.00
33	Manufacturing	2.00
42	Wholesale trade	1.00
44	Retail trade	1.00
45	Retail trade	1.00
48	Transportation and warehousing	2.00
49	Transportation and warehousing	2.00
51	Information	4.00
52	Finance and insurance	7.00
53	Real estate and rental and leasing	7.00
54	Professional, scientific, and technical services	5.00
55	Management of companies	7.00
56	Administrative and support and waste management and remediation services	4.00
61	Educational services	4.00
62	Health care and social assistance	4.00
71	Arts, entertainment, and recreation	3.00
721	Accommodation	3.00
722	Food services and drinking places	1.00
81	Other services	5.00
Class 8	Mandatory or Recommended Subclasses	
23	Construction	8.10
482	Rail Transportation	8.20
517311	Wired Telecommunications Carriers	8.30
517312	Wireless Telecommunications Carriers (except Satellite)	8.30
5241	Insurance Carriers	8.40
5242	Insurance Brokers for non-admitted Insurance Carriers	8.40

713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.60
Class 9	Optional Subclasses	
423930	Recyclable Material Merchant Wholesalers (Junk)	9.10
522298	Pawnshops	9.20
4411	Automobile Dealers	9.30
4412	Other Motor Vehicle Dealers	9.30
454390	Other Direct Selling Establishments (Regular Peddlers)	9.41
454390	Other Direct Selling Establishments (Seasonal Peddlers)	9.42
713290	Bingo Halls	9.50
711190	Other Performing Arts Companies (Carnivals and Circuses)	9.60
722410	Drinking Places (Alcoholic Beverages)	9.70
7115	Adult Adult Exotic Dancers, other Sexually Oriented Businesses	9.80

Note: Class Schedule is based on 2017 IRS data.

This appendix will be updated every odd year based on the latest available IRS statistics.
The 2021 Business License Class Schedule may be accessed at:

AGENDA ITEM:

XIII- A

Old Business item A

This is a COVID Update by Chief Wells. He will share his screen for this information

AGENDA ITEM:

XIV

Council Members Comments

AGENDA ITEM:

XV

Administrator's Report



OFFICE OF THE JASPER COUNTY ADMINISTRATOR

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

Administrator's Report September 7, 2021

1. The Lowcountry Council of Government (LCOG) Long Range Transportation Plan (LRTP):

LCOG is working to update the 2045 LRTP and is inviting the public to attend an interactive event to help shape the vision of the plan on Wednesday, Sept. 8 at TCL New River. Details follow this report.

2. SC Association of Counties (SCAC) Publication:

By now you should have received a copy of *2021 Acts That Affect Counties* publication produced by the SCAC. I encourage you to read through this document and assist staff in recognizing how legislative changes this year may impact our current operations and practices.

3. Targeted Rural Initiative:

In response to an offer from then Secretary of Commerce Bobby Hitt, Chairwoman Clark notified the SC Dept. of Commerce (SCDOC) on July 7, 2021, that she desired to have Jasper County included for consideration in a grant program offered by SCDOC known as the "Targeted Rural Initiative". The County has been included in this initiative and a grant in the amount of \$2.5 million has been offered to the County to be used for a transformational infrastructure project. The grant has a 100% match requirement, and the County must identify a list of its top 3 projects by December 1, 2021.

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

We want to hear from you!

LONG RANGE TRANSPORTATION PLAN PUBLIC WORKSHOP

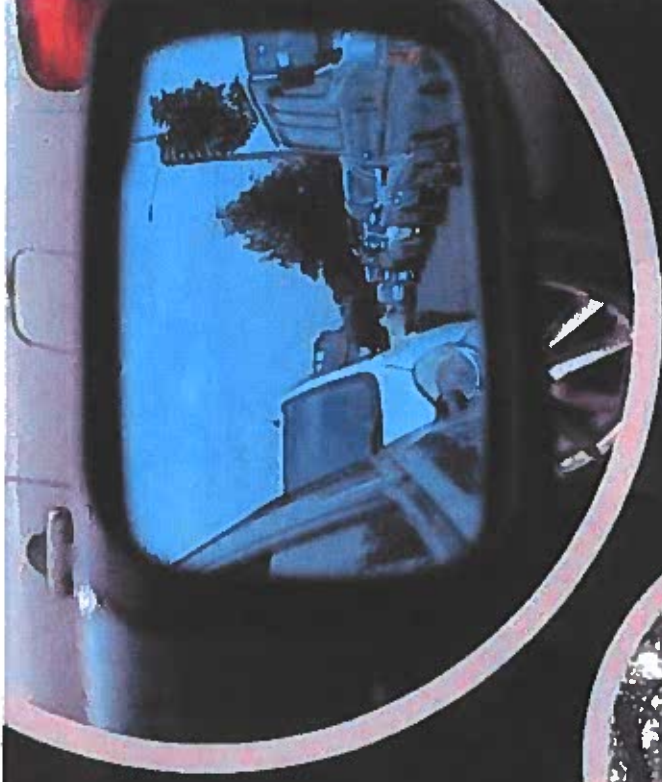
The Lowcountry Council of Governments (LCOG) is working to update the 2045 Long Range Transportation Plan (LRTP) and Rural Area LRTP.

These plans will identify transportation needs for the urbanized and rural areas over the next 20 years and provide a set of multimodal strategies to address these needs.

When: Wednesday September 8th 5pm-7pm

Where: Technical College of the Lowcountry New River Campus Conference Room (100 Community College Drive). Virtual option upon request to rossi@lowcountrycog.org or 843-473-3958

What: A interactive event to help shape the vision of the plan and identify the incremental steps to achieve it.





OFFICE OF THE JASPER COUNTY ADMINISTRATOR

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

Progress Report August 17, 2021-September 7, 2021

1. **Jasper Ocean Terminal (JOT):**

Discussions with outside counsel, GPA staff, County Attorney, and maritime consultant. Reviewed amending resolution and first amendment to agreement with SCSPA. Attended special called County Council meeting on August 30. Signed amendment. Additional information to be discussed with County Council in executive session on Sept. 7.

2. **Exit 3:**

Discussed legal opinion with bond counsel on August 30 re: use of Transportation Sales Tax revenue for the project. Will distribute opinion when received.

3. **US Highway 278 Corridor Widening and Improvements Project:**

Met with engineering team and SCDOT and LCOG representatives on Aug. 26 re: this transportation sales tax project. Due to the scope of the project, SCDOT will require a greater review process than originally anticipated. This will require another amendment to the IGA between SCDOT and Jasper County for professional services related to transportation sales tax projects. Will provide presentation and request to amend IGA to County Council as soon as these items are prepared.

4. **Solid Waste:**

Met with representatives from Weston & Sampson re: Regional Municipal Solid Waste Feasibility Study. Discussed future presentation to County Council and summary report of next steps to consider.

5. **Debt Refinancing:**

Scheduled for conference call with bond counsel, financial advisor, and County staff on Sept. 1.

6. Impact Fee Study:

Reviewed all traffic studies and identified future, known road improvements needed to address safety and capacity issues associated with growth. This information will be provided to consultant completing impact fee study for the County.

7. Various Development Projects:

Discussions re: Peninsula Tract, Carolina Metal Castings, and Project Silverman. Prospect update scheduled for County Council in executive session on September 7.

8. Levy Volunteer Fire Department:

Meeting with County staff and insurance carriers scheduled for Sept. 2.

9. Litigation:

Discussions with outside counsel re:

- City of Hardeeville v. Jasper County (Nickel Plate MCIP)
- Avigation easement condemnations

10. Other Meetings/Events Attended or Scheduled to Attend:
Special County Council meeting on August 30.