



JASPER COUNTY COUNCIL
COUNCIL MEETING

Jasper County Clementa C. Pinckney Government Bldg.
358 3rd Avenue, Ridgeland, SC 29936
Monday, September 16, 2024
Minutes

Officials Present: Vice Chairwoman Barbara B. Clark, Councilman John Kemp, and Councilman Joey Rowell
Absent: Chairman L. Martin Sauls IV,

Staff Present: County Administrator Andrew Fulghum, Clerk to Council Wanda Giles, County Attorney David Tedder, Kimberly Burgess, Lisa Wagner, Danny Lucas, Chief Russell Wells, and Videographer Jonathan Dunham.

Call to Order of Council Meeting by Vice Chairwoman Clark

Vice Chairwoman Clark called the meeting to order. The Report of Compliance with the Freedom of Information Act was read for the records as follows: *In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.*

2. Executive Session SECTION 30-4-70.

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

(2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – USCB MCIP; Tax Map # 063-18-03-003; Tax Map # 087-00-05-008 & 087-00-05-009

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body – Prospect Update; Project Mr. C; Project Veggie; Project Deep Water; Danny Black – SouthernCarolina Alliance

PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM THE EXECUTIVE SESSION.

Motion to go into executive session: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

3: Return to Open Session at 6:30PM

Motion to return to regular session: Councilman Rowell

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

- **3.1 Action coming out of Executive Session**

Motion to authorize the County Administrator to accept day Utility Tax Credit Grant of \$74,500 from Palmetto Electric Cooperative to be used to assist Project Veggie and further authorize the County Administrator to execute a grant agreement/contract with Palmetto Electric Cooperative for the use of these funds: Councilman Rowell

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

4. Pledge of Allegiance and Invocation:

The Pledge to the Flag was given and the Invocation was given by Councilman Rowell.

5. Approval of the Consent Agenda Items:

Approval of Consent Agenda passes all Consent Agenda Items. Consent Agenda Items are not considered separately unless any Councilmember so requests. In the event of such a request the item is placed at the end of the Public Hearings, Ordinances and Action Items.

Councilman Kemp said he would like to take off items 18, 19 and 21 from the Consent Agenda.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

6. Approval of the Regular Agenda:

Motion to approve: Councilman Rowell

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

PRESENTATIONS

7. Solicitor Stone – Creating a Three Tier System for Managing the Criminal Docket in Jasper County
Solicitor Stone was not present to address this request at this time.

PROCLAMATION

8. Chief Russell Wells – Proclamation proclaiming that October 6, 2024, thru October 12, 2024 will be recognized as Fire Prevention Week in Jasper County.

Chief Wells read the Proclamation proclaiming that October 6, 2024, thru October 12, 2024 will be recognized as Fire Prevention Week in Jasper County for the record.

RESOLUTIONS

9. Kimberly Burgess – Approval of Resolution [#R-2024-28](#) finding that normal daily operations of the Jasper County Detention Center are affected by the necessity for additional fencing within and without certain areas of the Detention Center and pursuant to Section 2-412 of the Jasper County Code of Ordinances allows for emergency procurement where normal daily operations are affected, and authorizing the County Administrator to create the contracts and obtain the services on behalf of Jasper County, and matters related thereto.

Ms. Burgess was present to review and address the request for the consideration of Resolution [#R-2024-28](#) finding that normal daily operations of the Jasper County Detention Center are affected by the necessity for additional fencing within and without certain areas of the Detention Center and pursuant to Section 2-412 of the Jasper County Code of Ordinances allows for emergency procurement where normal daily operations are affected, and authorizing the County Administrator to create the contracts and obtain the services on behalf of Jasper County.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

At this time Solicitor Stone arrived for his presentation.

Presentation:

7. Solicitor Stone – Creating a Three Tier System for Managing the Criminal Docket in Jasper County

Solicitor Stone was present to address and review this presentation. He provided a presentation for the Council and noted that there would be an emphasis on the disposition of older cases and to address new cases as they come into the system. He noted the three tiers of this project would be Triage, Prep and Court (trials, pleas and grand jury). He noted that this would be an efficient Criminal Justice System put into place within months instead of it taking years. For more information on this presentation go to our video at https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

PUBLIC HEARINGS, ORDINANCES AND ACTION ITEMS

9A. Lisa Wagner - Consideration of the 3rd reading of Ordinance #O-2024-18 to amend the Official Zoning Map of Jasper County so as to apply the Solar Farm Floating Zone to properties bearing Jasper County Tax Map Numbers 050-00-06-002, 050-00-06-005, 059-00-01-002, 059-00-01-003, and 059-00-01-033, as shown on the Moffett Solar II Concept Plan, prepared by Wood., dated May 2024, located along Grays Highway, Firetower Road and Langfordville Road. (1st reading 08.19.2024; Public hearing and 2nd reading 09.03.2024) – Formerly item # 18

Ms. Wagner was present to review her staff report, this item, and address this request. She noted that Moffett Solar II, LLC is requesting that the Solar Farm Floating Zone (SFFZ) be applied to the subject properties as depicted on the Concept Map prepared for Moffett Solar II, LLC. The project site consists of approximately 740 acres. The site itself is bounded by Grays Highway to the east, Firetower Road to the north, and Langfordville Road to the west. Moffett Solar II, LLC is proposing a 74.9 megawatt (MW) solar farm. The electricity that will be generated from the photovoltaic (PV) solar panels will interconnect into Santee Cooper's existing electrical grid. The anticipated project life is 40 years. Analysis: In accordance with the SFFZ Ordinance, a concept plan has been prepared which depicts the setbacks, buffers, access roads, areas of wetlands, and areas where the solar panels will be located.

As shown on the concept plan, a 100' vegetated buffer is proposed along Grays Highway, Firetower Road, and Langford Road. Where the property abuts residential properties, a 200' vegetated buffer is proposed and a 50' vegetated buffer is proposed along properties that are zoned Rural Preservation, which are all heavily forested. Other buffers include a 50' riparian buffer around all wetlands. In addition to the buffers, a 25' setback will be established along the interior of the bufferyards. The solar farm will have approximately 5 pods of solar panels. Each pod will be fenced in, creating a wildlife corridor and leaving the wetlands undisturbed.

Moffett Solar II entered into a Purchase Option Agreement with the property owner, TRR Real Estate, LLC on December 18, 2017, for the purpose of developing a solar farm. TRR Real Estate intends to retain a portion of parcel number 059-00-01-002, which will be subdivided at the time of purchase or contemporaneous with the purchase of the property. The buyer and the seller have also agreed through a Memorandum of Understanding (MOU), that the bufferyard and setback requirement will be reduced to 0' once the new boundary line is created for parcel number 059-00-01-002. Although security fencing will be constructed, both parties agree solar panels will not need to be screened from view for the remaining TRR Real Estate property.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

9B. David Tedder – Consideration of the **3rd reading** of Ordinance **#O-2024-11** authorizing the execution and delivery of a Fee-In-Lieu of Ad Valorem Taxes and Incentive Agreement by and between Jasper County, South Carolina and Moffett Solar II, LLC, to provide for payment of a Fee-In-Lieu of Taxes; approving the creation of a Multicounty Park with Hampton County, South Carolina; authorizing the execution and delivery of a Multicounty Park Agreement by and between Jasper County, South Carolina And Hampton County, South Carolina; and other related matters. *(Substitution of the Ordinance for that passed Second Reading on 05.06.2024 (Ordinance O-2024-11), recognizing technical amendments resulting from the use of a separate Development Agreement Ordinance, being Ordinance Number # O-2024-19) (1st reading 04.15.2024; public hearing and first 2nd reading 05.06.2024; another Public hearing and another 2nd reading on 09.03.2024) – Formerly item # 19*

Mr. Tedder was present to review and discuss this request including the investment period, the partner on this Multicounty Park being Hampton County, and noted that the public hearing was held at the last meeting.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

10. Ryan Romano and Benton Blaine – **Public Hearing** and consideration of the **3rd reading** of Ordinance **#O-2024-19** authorizing the Execution and Delivery of a Development Agreement for Moffett Solar II Pursuant to the South Carolina Local Government Development Agreement Act and Article IV, Title 20 of the Code Of Ordinances Of Jasper County; Approving a Technical Amendment to Ordinance O-2024-11; Authorizing The Chairman Of Jasper County Council To Execute A Development Agreement; And Other Related Matters. *(1st reading 08.19.2024; Public hearing and 2nd reading 09.03.2024)*

Mr. Tedder was present to review and address the request for the consideration of the the 3rd reading of Ordinance #O-2024-19 authorizing the Execution and Delivery of a Development Agreement for Moffett Solar II Pursuant to the South Carolina Local Government Development Agreement Act and Article IV, Title 20 of the Code Of Ordinances Of Jasper County; Approving a Technical Amendment to Ordinance O-2024-11; Authorizing The Chairman Of Jasper County Council To Execute A Development Agreement. The public hearing on this item was opened but there were no comments, so the public hearing was closed.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

11. Kimberly Burgess – Public Hearing and consideration of a **2nd reading** of Ordinance **#O-2024-22** to Amend Jasper County Ordinance O-2023-09, The Fiscal Year 2024 Jasper County Budget, To Provide For Amendments To The Budget And To Carryover Approved Lapsing Funds To Fiscal Year 2025; To Amend Jasper County Ordinance O-2024-13, The Fiscal Year 2025 Jasper County Budget, To Provide For Amendments To The Budget Resulting From The Carryover Of Approved Lapsing Funds From Fiscal Year 2024; To Amend Certain Revenue Items; To Incorporate The Reclassification Of Certain Line Items, To Amend For Fiscal Year 2025 Expenditures, The Inclusion Of Additional Appropriations, And Matters Related Thereto (**1st reading 09.03.2024**)

Ms. Burgess was present to review and address the request for the consideration of a 2nd reading of Ordinance #O-2024-22 to Amend Jasper County Ordinance O-2023-09, The Fiscal Year 2024 Jasper County Budget, To Provide For Amendments To The Budget And To Carryover Approved Lapsing Funds To Fiscal Year 2025; To Amend Jasper County Ordinance O-2024-13, The Fiscal Year 2025 Jasper County Budget, To Provide For Amendments To The Budget Resulting From The Carryover Of Approved Lapsing Funds From Fiscal Year 2024; To Amend Certain Revenue Items; To Incorporate The Reclassification Of Certain Line Items, To Amend For Fiscal Year 2025 Expenditures, The Inclusion Of Additional Appropriations. The public hearing on this item was opened but there were no comments, so the public hearing was closed. It was noted that another public hearing was scheduled for 10.07.2024.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

14. Danny Lucas - Discussion of Request for Non-Standard Use of County Property. (This item was moved to after Item # 11)

Mr. Lucas discussed this request and the requirements for a special use permit that had been filed by the applicant but was incomplete. He noted on the insurance documents submitted to us on the property had not been clearly identified. Councilman Rowell noted that due to the confusion, his recommendation to allow the applicant to get incomplete matters completed. Mr. Lucas said they would need approval from the Sheriff's Dept., Police Dept., Fire Dept., Zoning/Building Dept., Need approved Parking Plan and Consideration of the JYRD. It was noted that the applicant would have the approval of both Jasper County and JYRB. Councilman Rowell noted that he would send the resolution via email.

Motion to approve: Councilman Rowell

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

12. Andrew Fulghum – Consideration of the 1st reading of an Ordinance Authorizing the sale to S&P Produce, Inc., of a 10 Acre Parcel, more or less, Being Subdivided out of the Original 40.00 Acre Parcel Identified as Parcel B-1A as shown on a Plat Recorded at Plat Book 23 at Page 345, with such new 10.00 Acre Parcel Being Shown on an Individual Plat and Being a Portion of Tax

Parcel 048-00-01-005, and to Authorize the Jasper County Administrator to Execute Such Contracts, Amendments, Deeds and Other Documents as may be Necessary and Appropriate to Effect the Sale to S&P Produce, Inc., or its Assigns, and matters related thereto. (Project Veggie)

Mr. Fulghum was present to review and address the request for the consideration of the the 1st reading of an Ordinance Authorizing the sale to S&P Produce, Inc., of a 10 Acre Parcel, more or less, Being Subdivided out of the Original 40.00 Acre Parcel Identified as Parcel B-1A as shown on a Plat Recorded at Plat Book 23 at Page 345, with such new 10.00 Acre Parcel Being Shown on an Individual Plat and Being a Portion of Tax Parcel 048-00-01-005, and to Authorize the Jasper County Administrator to Execute Such Contracts, Amendments, Deeds and Other Documents as may be Necessary and Appropriate to Effect the Sale to S&P Produce, Inc., or its Assigns.

Motion to approve: Councilman Kemp

Second: Councilman Rowell

Vote: Unanimous

The motion passed.

13. Kimberly Burgess – Approval of the Special Services Contract for the ADA Accessibility Software/Tool.

Ms. Burgess was present to review and address the request for the consideration of approval of the Special Services Contract for the ADA Accessibility Software/Tool. She noted this was a special service request. She also noted that Ms. Williams had vetted several vendors and recommends ReciteME to meet our requirements for ADA accessibility

Motion to approve: Councilman Rowell

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

15. David Tedder – Public hearing and consideration of the 3rd reading of Ordinance [#O-2024-17](#) Amending Jasper County Ordinance #O-2023-20 by Authorizing and Approving Modified Terms of a Loan from the South Carolina Transportation Infrastructure Bank; Authorizing and Approving Documents to Reflect the Modified Loan; Authorizing and Approving Modifications to an Intergovernmental Agreement among Jasper County, South Carolina, the City of Hardeeville, South Carolina and the South Carolina Transportation Infrastructure Bank; and Other Related Matters. (Exit 3) (1st reading 07.15.2024; 2nd reading 08.19.2024)

Mr. Tedder was present to review and address the request for the consideration of the 3rd reading of Ordinance #O-2024-17 Amending Jasper County Ordinance #O-2023-20 by Authorizing and Approving Modified Terms of a Loan from the South Carolina Transportation Infrastructure Bank; Authorizing and Approving Documents to Reflect the Modified Loan; Authorizing and Approving Modifications to an Intergovernmental Agreement among Jasper County, South Carolina, the City of Hardeeville, South Carolina and the South Carolina Transportation Infrastructure Bank.

The public hearing on this item was opened but there were no comments, so the public hearing was closed.

Motion to approve: Councilman Rowell

Second: Councilman Kemp

Vote: Unanimous

The motion passed.

CITIZEN COMMENTS

16. Open Floor to the Public per Ordinance 08-17 Any citizen of the County may sign to speak in person at the Council Meeting (before the Council Meeting's 6:30PM start time on the Sign-In Sheet on the Podium), to address Council on matters pertaining to County Services and Operations. Presentations will be limited to **three (3) minutes per person** and total public input will be limited to **30 minutes**.

Betty Thomas signed up to discuss Jenkins Ave. traffic.

Derek Myers and Marice Lawger signed up to disc the Alumni Homecoming.

17. Administrator's Report: Mr. Fulghum reviewed the information from his report. There were no Action Items requiring a vote from the Council in the Administrator's Report

CONSENT AGENDA

18. Lisa Wagner - Consideration of the **3rd reading** of Ordinance **#O-2024-18** to amend the Official Zoning Map of Jasper County so as to apply the Solar Farm Floating Zone to properties bearing Jasper County Tax Map Numbers 050-00-06-002, 050-00-06-005, 059-00-01-002, 059-00-01-003, and 059-00-01-033, as shown on the Moffett Solar II Concept Plan, prepared by Wood., dated May 2024, located along Grays Highway, Firetower Road and Langfordville Road. (*1st reading 08.19.2024; Public hearing and 2nd reading 09.03.2024*) – Item was moved to item # 9A

19. David Tedder – Consideration of the **3rd reading** of Ordinance **#O-2024-11** authorizing the execution and delivery of a Fee-In-Lieu of Ad Valorem Taxes and Incentive Agreement by and between Jasper County, South Carolina and Moffett Solar II, LLC, to provide for payment of a Fee-In-Lieu of Taxes; approving the creation of a Multicounty Park with Hampton County, South Carolina; authorizing the execution and delivery of a Multicounty Park Agreement by and between Jasper County, South Carolina And Hampton County, South Carolina; and other related matters. (*Substitution of the Ordinance for that passed Second Reading on 05.06.2024 (Ordinance O-2024-11), recognizing technical amendments resulting from the use of a separate Development Agreement Ordinance, being Ordinance Number # O-2024-19*) (*1st reading 04.15.2024; public hearing and first 2nd reading 05.06.2024; another Public hearing and another 2nd reading on 09.03.2024*) – Item was moved to item # 9B

20. David Tedder - Consideration of the **3rd reading** of Ordinance **#O-2024-20** authorizing the sale of TMS 048-00-01-026, approximately five (5) acres, to Gopher Hill Holdings, LLC, or its assigns, and to

authorizing the Jasper County Administrator to execute such contracts, amendments, deeds and other documents as may be necessary and appropriate to effect the sale to Gopher Hill Holdings, LLC, or its assigns, and matters related thereto. (1st reading 08.19.2024; Public hearing and 2nd reading 09.03.2024)

21. **David Tedder** - Consideration of the 3rd reading of Ordinance [#O-2024-21](#) authorizing the sale to SC Grays LLC of a 1.47 acre parcel being subdivided out of the original 258.45 acre Parcel B, Parcel B being shown on a Plat recorded at Plat Book 22 at Page 233, with such 1.47 acre parcel being shown on an individual plat, being a portion of tax parcel 048-00-01-009, and to authorize the Jasper County Administrator to execute such contracts, amendments, deeds and other documents as may be necessary and appropriate to effect the sale to SC Grays LLC, or its assigns, and matters related thereto. (1st reading 07.15.2024; Public hearing and 2nd reading 09.03.2024)

This item was not taken up by Council for a vote as the item was not ready for this meeting.

22. Approval of the Minutes 06.03.2024

END OF CONSENT AGENDA

23. **Council Members Comments:** Councilmember Comments were given but there were no comments that required action.

24. **Possible Return to Executive Session to Continue Discussion on Matters Regarding Agenda Item II. *Council may act on any item appearing on the agenda including items discussed in executive session.** For more information on this meeting please go to our YouTube Channel for the video go to https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA .

24. Adjournment

Motion to adjourn: Councilman Kemp

Second: Councilman Rowell

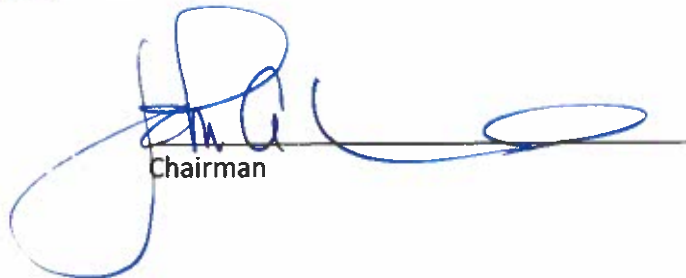
Vote: Unanimous

The motion passed and the meeting adjourned.

Respectfully submitted:



Wanda H. Giles
Clerk to Council



Chairman

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