



JASPER COUNTY COUNCIL
**Workshop and
COUNCIL MEETING**

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

**April 4, 2022
Minutes**

The 3:30PM Budget Workshop was cancelled prior to the meeting.

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, Kimberly Burgess, Russell Wells, Lisa Wagner, and Videographer Jonathan Dunham.

Also Present:

Chairwoman Clark called the meeting to order at 4:43PM. Chairwoman Clark asked the Clerk to Council to read the Report of Compliance to the Freedom of Information Act. Ms. Simmons, Clerk to Council read the Clerk's Report of Compliance with the Freedom of Information Act as follows: *In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification.*

The information below was read for the executive session.

Motion to add the CenterPoint Agreement Item 11C to the Executive Session agenda items for executive session: Councilman Kemp
Second: Vice Chairman Dr. Brantley
Vote: Unanimous
The motion passed.

Motion to go into executive session: Councilman Sauls
Second: Councilman Adkins
Vote: Unanimous
The motion passed.

Executive Session SECTION 30-4-70.

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

(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 – Engineering Services; Clerk of Court

(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 – Election Matters; Professional Services Proposal from THC-Highway 278 Corridor Widening Project; J. Bragg Consulting

(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 – Project Silverman; Jasper Ocean Terminal (JOT); Prospect Update; Chelsea South

ANY EXECUTIVE SESSION MATTER ON WHICH DISCUSSION HAS NOT BEEN COMPLETED MAY HAVE DISCUSSION SUSPENDED FOR PURPOSES OF BEGINNING THE OPEN SESSION AT ITS SCHEDULED TIME, AND COUNCIL MAY RETURN TO EXECUTIVE SESSION DISCUSSION AFTER THE CONCLUSION OF THE OPEN SESSION AGENDA ITEMS. PLEASE BE ADVISED THERE MAY BE VOTES BASED ON ITEMS FROM EXECUTIVE SESSION.

Return to Open Session:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Motions from Executive Session:

Motion offered based on the requirement of the Court Administration to approve funding and the Job Description submitted in Executive Session for a Court Administrator for the remaining fiscal year to come from Inter Departmental Department as discussed in executive session:

Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

Motion to approve the proposal of the THC 278 Corridor Plan: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

The Pledge of Allegiance was led by Councilman Kemp and Councilman Sauls gave the invocation.

Approval of Agenda:

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

Approval of the minutes of 02.22.2022:

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Presentation and Proclamations:

A: Chief Wells – Proclamation for National Public Safety Telecommunications Week.

Chief wells presented this request and read the proclamation that recognized the 911 professionals.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

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

Mayor Harry Williams of the City of Hardeeville spoke regarding his opinion and concerns regarding CenterPoint.

Resolutions:

A: Kimberly Burgess – Resolution # R-2022-08 authorising the temporary borrowing of not to exceed \$1,177,380 in anticipation of the issuance of Fire Protection Service General Obligation Bonds of Jasper County, South Carolina financing for Cherry Point Fire District.

Ms. Burgess was present to address and review this resolution with Council. She noted that it is in essence a renewal of a construction loan for Marsh Cove that is set to expire this year and that it needed to be renewed.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

B: Andrew Fulghum – Resolution # R-2022-09 to designate April 2022 as Fair Housing Month in Jasper County, South Carolina.

Mr. Fulghum was present not address and present this request designating April 2022 as Fair Housing Month in Jasper County as per the federal and state requirements.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

C: Andrew Fulghum – Resolution # R-2022-10 to renew the Equal Opportunity heretofore adopted by Resolution 05-02.

Mr. Fulghum was present to address and review this resolution with Council. He noted that in April of each year that staff asks the Council to adopt the Equal Opportunity Resolution to comply and conform with the law and its regulations.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

D: Andrew Fulghum – Resolution # R-2022-11 to declare certain property to be surplus and authorize its sale or disposition.

Mr. Fulghum was present to address and review this resolution with Council. He noted that this was a standard surplus property resolution for sale or disposition.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

The motion passed.

E. David Tedder – Resolution # R-2022-12 committing to negotiate a Fee-In-Lieu of *Ad Valorem* Taxes Agreement between Jasper County and SL Hardeeville Industrial Park, LLC; identifying the Project; and Other Matters Related Thereto.

Mr. Tedder was present to address and review this resolution with Council. He noted that resolution expresses the county's willingness to negotiate the FILO.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Ordinances:

A: Kimberly Burgess – 1st Reading of a Bond Ordinance by TITLE ONLY providing for the Issuance and Sale of a Jasper County, South Carolina, Hospitality and Accommodations Fee Revenue Bond (Airport Capital Improvement Projects), Series 2022 in the principal amount of not to exceed \$5,000,000; 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 ordinance with Council. She noted that this ordinance was by Title Only tonight for the first reading.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous
The motion passed.

B: Lisa Wagner –Consideration of 1st Reading of an Ordinance to amend the Center Point Planned Development District to add two tracts of land consisting of approximately 57.75 acres, bearing Jasper County Tax Map Numbers 081-00-03-030 and 081-00-03-031, to make certain text amendments, concept plan revisions, and matters related thereto.

Ms. Wagner was present to address and review this ordinance with Council. Ms. Wagner noted that the Applicant is requesting an approval of a Planned Development District (PDD) zoning designation for the purpose of adding two properties to the Center Point PDD. Included with the Zoning Map Amendment application is an amendment to the Center Point PDD, DA, and Concept Plan. The subject properties are located to the rear of the Center Point PDD and are surrounded on three sides by the existing PDD. One of the parcels is zoned Residential and consist of 16 acres. The other parcel is zoned Rural Preservation and consists of 41.75 acres. Both properties are undeveloped and only have access through the PDD. The Center Point PDD was approved by Jasper County Council on August 14, 2008 and is located along N. Okatie Highway (Highway 170) between the intersection of Highway 462 and Snake Road. The only development that has taken place within the Center Point PDD is the John Paul II Catholic School and Caroline's Cottage. The subject parcels were not originally included in the PDD because they were intended for the school site; however, the school decided to build on the western portion of the Center Point PDD.

The purpose of the amendment to the Center Point PDD, DA, and the Concept Plan is to add 57.75 acres to the Center Point PDD. The Concept Map shows the two parcels as Phase IA and Phase IB. Each parcel will be designated as Mixed Use Residential and will include a density of 12 dwelling units per gross acre for multi-family, 8 dwelling units per gross acre for single-family attached, and 3 dwelling units per gross acre for single-family detached, so the density per acre will remain the same as the previously approved density for the Center Point PDD.

All Zoning Map Amendments and PDD's shall conform to the Jasper County Comprehensive Land Use Plan and Land Use Map (latest edition).

She also mentioned that according to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as "Rural Conservation." Rural Conservation seeks to protect and promote the character of Jasper County that largely exists today outside of the municipalities. In these areas, new development should be thoughtfully placed within the existing landscape. Adjacent parcels are zoned Planned Development District on the east, south, and west, and Rural Preservation to the north. Adjacent land uses are vacant, with a 24-hour hospice facility nearby. The subject parcels will be served by a private road through the Center Point PDD. The private road will have direct access to Highway 170, which is a four-lane state-maintained highway classified as an arterial road.

Ms. Wagner further noted that the PDD application is supported by the Comprehensive Plan; as such, Planning Commission recommends approval of the PDD designation, and the amendment of the Center Point PDD, DA and the Concept Plan.

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

C: David Tedder – Consideration of **1st Reading** of an Ordinance to amend the Center Point Development Agreement pursuant to the South Carolina Local Government Development Agreement Act by making provisions to include additional tracts of land, extending the term and matters related thereto Article IV, Title 20 of the Code of Ordinances of Jasper County, and authorizing the Chairman of Jasper County Council to execute said Development Agreement as amended.

Mr. Tedder was present to address and review this ordinance with Council.

Motion to approve: Councilman Sauls

Second: Vice Chairman Dr. Brantley

Vote: Unanimous

The motion passed.

D: David Tedder – Consideration of the **2nd Reading** of Ordinance # [O-2022-05](#) Authorizing the execution and delivery of a Fee In Lieu Of Tax and Incentive Agreement By and Between Jasper County, South Carolina (The “County”), SL Hardeeville Industrial Park, LLC, acting for Itself, One Or More Affiliates, and/or Other Project Sponsors (Collectively, The “Company”), whereby The County will enter into a Fee-In-Lieu Of Ad Valorem Tax Agreement with The Company and providing for payment by The Company of Certain Fee-In-Lieu of Ad Valorem Taxes; providing for such Special Source Revenue Credits in connection with such Agreement; providing for allocation of such Fees-In-Lieu of Taxes payable under The Agreement for the establishment of a Multi-County Industrial/Business Park; providing for the establishment and/or expansion of certain facilities in The County (The “Project”) in a Multi-County Industrial/Business Park; the Benefits of a Multi-County Industrial Or Business Park to be made available to The Company and The Project; and Other Matters Relating Thereto.

Mr. Tedder was present to address and review this ordinance on its second reading with Council. He noted that this was the 95 Logistics site.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

New Business:

A: Andrew Fulghum – Contract between JC and SC Dept of Health and Environmental Control – Reimbursement for Toxicology Testing – Coroner’s Office

Mr. Fulghum was present to address this new business item with Council. He said this was a contract offered by the SC Dept of Health and Environmental Control. He discussed the nature of the contract and asked for permission to enter into the contract with the SC Dept of Health and Environmental Control after the amendments were made by the County Attorney and worked through with the Coroner.

Motion to approve: Councilman Sauls

Second: Councilman Adkins

Vote: Unanimous
The motion passed.

B: Andrew Fulghum – Small Services Project Management Proposal – J. Bragg Consulting.

Mr. Fulghum was present to address this new business item with Council. He noted that this was a small services project management proposal from J. Bragg Consulting not to exceed 160 hours or \$27,720. He noted that this would be paid from the Commercial Development Funds and requested approval from Council.

Motion to approve: Vice Chairman Dr. Brantley

Second: Councilman Adkins

Vote: Unanimous

The motion passed.

Old Business: None

Council Members Comments

Councilman John Kemp:

Councilman Kemp asked that everyone remember the arcillo family. He said that he had attended the Wagon Branch Community Building Meeting about the school board. He said that Brother Gregory had been there and moderated it. He also mentioned that the Tarboro Festival would be held that weekend from 10:00 AM to 6:00 PM. He congratulated Dr Rhonda Edwards the new magistrate for Jasper County and also mentioned that Jasper County was in need of school bus drivers.

Vice Chairman Dr. Brantley:

Vice Chairman Dr. Brantley said he had attended the swearing in ceremony for the new Magistrate Judge and he urged all Councilmembers to encourage her.

Councilman Adkins:

Councilman Adkins said he had gone to Robertville career day with the parents and the kids. He also mentioned that all of council works for the people and that the people vote the council in. He said people come to him and ask questions and that he wants to be able to provide clear answers to them.

Councilman Sauls:

Councilman Sauls asked to keep the Arzillo family in prayer. he noted that the Statehouse Day had been well attended and that the Jasper on the Move location had been changed to Malphrus Oaks.

Chairwoman Clark:

Chairwoman Clark said that council is working together to get things done in the county as is the school board. She said the school board was working toward getting to seven members and that at some point Council would consider the same when it was legal and legitimate to do so. She asked everyone to support the school Superintendent and urged parents not to keep their children out of

school because the parents are held liable. She commended the School Superintendent for receiving the two awards that was received last week and congratulated the school system.

Administrator's Report:

Mr. Fulghum noted that his report had been submitted for review and he was present to address any questions. He also mentioned the Save the Date for the BJEOC Mayfest on 05.21.2022. He also asked Chief Wells to give the COVID update. Chief Wells noted that since the last report through 03.26.2022 that Jasper County was at a 5.8% positivity rate and that the State of SC was at a 3% positivity rate. He also noted that 326 tests had been administered.

Chairwoman Clark gave Dr. Anderson the floor. Dr. Anderson noted that they are looking for bus drivers and asked anyone interested to please apply online. Doctor Anderson noted that she is committed to doing what is right for the young people of Jasper County. She said they are striving to make the Jasper County School System better than it ever has been. She noted that she is a professional educator at heart, and she will always stand for these young people and what they need.

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

Adjourn:

Motion to adjourn: Vice Chairman Dr. Brantley

Second: Councilman Sauls

Vote: Unanimous

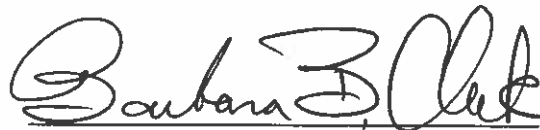
The motion passed.

The meeting adjourned at 6:44 PM.

Respectfully submitted:



Wanda H. Simmons
Clerk to Council



Barbara B. Clark
Chairwoman